

trol in the lower Mississippi Valley; to the Committee on Flood Control.

6778. Also, petition of the George Washington American Citizens Bicentennial Commemoration Committee, New York City, indorsing the project to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon with the Arlington Memorial Bridge across the Potomac River; to the Committee on Roads.

6779. Also, petition of Hunter-Walton & Co., New York City, protesting against the McNary-Haugen bill on the ground that it is an injury to the butter and cheese business as well as demoralizing to the farmer; to the Committee on Agriculture.

6780. Also, petition of Artistic Lighting Equipment Association, New York City, protesting against the passage of House bill 6679, introduced by Congressman TILMAN B. PARKS, on the ground that it is discriminatory to the small business man; to the Committee on the Judiciary.

6781. Also, petition of J. Alex Wigle, Mineola, N. Y., urging the favorable reporting of House bill 12032, intended to rectify and improve the financial status of warrant and chief warrant officers of the United States Navy; to the Committee on Naval Affairs.

6782. Also, petition of Michael J. De Martini, W. M. Caniff, Henry Lombardi, and Daniel McCauley, all of Brooklyn, N. Y., urging favorable action on House bill 10644, to adjust the compensation of certain employees in the customs service; to the Committee on Ways and Means.

6783. By Mr. LOZIER: Petition of 40 citizens of Linn County, Mo., urging enactment of more liberal pension laws; to the Committee on Invalid Pensions.

6784. By Mr. McKEOWN: Petition of Wayne M. Roberts and other citizens of Pontotoc County, Okla., urging immediate passage of a bill increasing Civil War pensions; to the Committee on Invalid Pensions.

6785. Also, letter of Ferbie Whitehead, of Ada, Okla., urging the passage of a bill increasing the pension of the Civil War veterans and their widows; to the Committee on Invalid Pensions.

6786. By Mr. MAJOR of Missouri: Petition of citizens of Springfield, Mo., urging the immediate passage of legislation providing increased pensions for veterans of the Civil War and their widows; to the Committee on Invalid Pensions.

6787. By Mr. O'CONNELL: Petition of Hunter, Walton & Co., New York City, opposing the passage of the McNary-Haugen farm relief bill; to the Committee on Agriculture.

6788. Also, petition of Enyard & Godley (Inc.), New York City, opposing the passage of the McNary-Haugen farm relief bill; to the Committee on Agriculture.

6789. Also, petition of the Chamber of Commerce, Hastings, Nebr., favoring the passage of the Sears bill (H. R. 8909) for flood control; to the Committee on Flood Control.

6790. Also, petition of the Artistic Lighting Equipment Association, New York City, favoring the passage of the Parks bill (H. R. 6679) to amend the Federal Judicial Code by limiting the jurisdiction of the Federal district courts; to the Committee on the Judiciary.

6791. Also, petition of J. Alex Wigle, Mineola, Long Island, N. Y., favoring the passage of House bill 12032, to rectify and improve the financial status of warrant and chief warrant officers of the Navy; to the Committee on Naval Affairs.

6792. Also, petition of the John Eiseman Camp, No. 79, Sons of Union Veterans of the Civil War, Woodhaven, Long Island, N. Y., favoring the passage of Senate bill 3628, granting pensions to certain disabled children of veterans of the Civil War and the war with Spain; to the Committee on Pensions.

6793. By Mr. QUAYLE: Petition of Baum & Moncharsh, of New York City, opposing the McNary-Haugen bill; to the Committee on Agriculture.

6794. Also, petition of the American Legion National Legislative Committee of Washington, D. C., urging the passage of the Rogers hospital construction bill; to the Committee on World War Veterans' Legislation.

6795. Also, petition of Chamber of Commerce of Hastings, Nebr., urging the passage of the Sears bill (H. R. 8908); to the Committee on Flood Control.

6796. Also, petition of Hunter, Walton & Co., of New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6797. Also, petition of Enyard & Godley (Inc.), of New York City, opposing the passage of the McNary-Haugen bill; to the Committee on Agriculture.

6798. Also, petition of the George Washington American Citizens Bicentennial Commemoration Committee, of New York City, urging the passage of the Moore bill to authorize and direct the survey, construction, and maintenance of a memorial highway to connect Mount Vernon, in the State of Virginia, with

the Arlington Memorial Bridge across the Potomac River at Washington; to the Committee on Roads.

6799. By Mr. RATHBONE: Petition by citizens of Chicago, urging that immediate steps be taken to bring to a vote a Civil War pension bill in order that relief may be accorded to needy and suffering veterans and widows; to the Committee on Invalid Pensions.

6800. By Mr. ROMJUE: Petition of W. P. Kennedy, T. R. Sawyer, and others, of Kahoka, Mo., for passage of Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.

6801. By Mr. SWING: Petition of citizens of San Diego, Calif., in behalf of the Civil War pension bill for the relief of veterans and widows; to the Committee on Invalid Pensions.

6802. By Mr. TEMPLE: Petition of residents of Washington County, Pa., in support of legislation increasing the rate of pension to Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6803. By Mr. VINSON of Kentucky: Petition of Civil War veterans and their widows for increase of pension; to the Committee on Invalid Pensions.

6804. By Mr. WHITE of Colorado: Petition of sundry citizens of Denver, Colo., urging the enactment of legislation granting an increase of pension to veterans of the Civil War and their dependents; to the Committee on Invalid Pensions.

6805. By Mr. WINTER: Resolutions from F. S. Harter, president Platte County Bee Keepers Association, Wheatland; L. A. Buchanan, president Lions Club, Cody; and William C. Kinkead, president Kiwanis Club of Cheyenne, Cheyenne, all in the State of Wyoming, indorsing and approving House bill 9956 and that it will be passed and become a law; to the Committee on Irrigation and Reclamation.

HOUSE OF REPRESENTATIVES

SATURDAY, April 14, 1928

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, the Father of our Lord and Savior Jesus Christ, Thy purpose for this world is the development of man; all creation is engaged in this redeeming task. Let us not despise the lowest of Thy creatures, nor lose the glory and the worth of humble service and simple things. The divine at the heart of the universe keeps working away at the divine in man, and one day, like the prophet of old, he will be lifted up out of his ignorance and sin into the light of a more perfect day. Amid commotions and uncertainties, Thou art the preserver of all good; we therefore praise Thee. May our laws and institutions be molded by great Christian ideals, and always remain as the inspiration of our fellow citizens, for they are the architects and the builders of our Republic. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 431. An act to authorize the payment of certain taxes to Okanogan County, in the State of Washington, and for other purposes;

H. R. 5687. An act authorizing and directing the Secretary of the Interior to sell certain public lands to the Cabazon Water Co., issue patent therefor, and for other purposes;

H. R. 6360. An act for the relief of Edward S. Lathrop;

H. R. 7191. An act to authorize the Secretary of Commerce to convey certain land in Cook County, Ill., to the Chicago & Western Indiana Railroad Co., its successors or assigns, under certain conditions;

H. R. 7908. An act to authorize the granting of leave to veterans of the Spanish-American War to attend the annual convention of the United Spanish War Veterans and auxiliary in Habana, Cuba, in 1928;

H. R. 8650. An act for the relief of C. S. Winans;

H. R. 9830. An act authorizing the Great Falls Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Potomac River at or near the Great Falls;

H. R. 10540. An act to credit retired commissioned officers of the Coast Guard with active duty during the World War performed since retirement; and

H. R. 10932. An act for the relief of the widows of certain Foreign Service officers.

The message also announced that the Senate had passed with amendments bills of the House of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 9411. An act for the relief of Maurice P. Dunlap; and

H. R. 11020. An act validating certain applications for and entries of public lands.

The message further announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3194) entitled "An act to establish the Bear River migratory-bird refuge."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House was requested:

S. 862. An act to provide for the advancement on the retired list of the Navy of Lloyd Lafot;

S. 721. An act to establish a fish-hatching and fish-cultural station in the State of New Mexico;

S. 745. An act to authorize the establishment of a fisheries experiment station on the west coast of Washington;

S. 1261. An act to establish a fish-hatching and fish-cultural station in the State of Idaho;

S. 1609. An act recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crews of the U. S. S. *Republic*, *American Trader*, *President Roosevelt*, *President Harding*, and the British steamship *Cameronia*, and for other purposes;

S. 1710. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor;

S. 1738. An act for the validation of the acquisition of Canadian properties by the War Department and for the relief of certain disbursing officers for payments made thereon;

S. 1964. An act to establish a fish-cultural station in the State of Montana as an auxiliary to the Bozeman, Mont., fisheries station;

S. 2019. An act to amend an act entitled "An act to authorize the Secretary of Commerce to dispose of certain lighthouse reservations, and to increase the efficiency of the Lighthouse Service, and for other purposes," approved May 22, 1926;

S. 2319. An act for the relief of John W. Stockett;

S. 2336. An act for the relief of Nina MacDonald, Zenas V. Johnston, Margaret E. Thompson, Arthur L. Beaman, and May Fee;

S. 2804. An act to amend section 812 of an act entitled "An act to establish a code of law for the District of Columbia," as amended;

S. 3116. An act providing for half holidays for certain Government employees;

S. 3280. An act for the relief of Margaret Diederich;

S. 3338. An act authorizing the sale of certain lands on Petit Jean Mountain near Morrilton, Ark., for use by the Young Men's Christian Association of Arkansas;

S. 3437. An act to provide for the conservation of fish, and for other purposes;

S. 3571. An act granting the consent of Congress to the county court of Roane County, Tenn., to construct a bridge across the Emory River at Suddaths Ferry, in Roane County, Tenn.;

S. 3602. An act to quiet title and possession with respect to certain lands in Faulkner County, Ark.;

S. 3774. To provide a temporary location for a farmers' market in the District of Columbia; and

S. J. Res. 28. Joint resolution consenting that certain States may sue the United States, and providing for trial on the merits in any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by the United States during the years 1866, 1867, and 1868, and vesting the right in each State to sue in its own name.

SPEAKERS PRO TEMPORE FOR TO-MORROW

The SPEAKER. The Chair designates the gentleman from New York [Mr. PARKER] to preside to-morrow for memorial exercises on the late Representative MAGEE, and the gentleman from New Mexico [Mr. MORROW] on the exercises in commemoration of the late Senator ANDREIUS A. JONES.

FLOOD CONTROL

Mr. SNELL, chairman of the Committee on Rules, reported the following resolution for printing in the RECORD:

House Resolution 165

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3740, an act for the control of floods on the Mississippi River and its tributaries, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 12 hours, to be

equally divided and controlled by those favoring and opposing the bill, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill with such amendments to the House as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion, except one motion to recommit.

The resolution was referred to the calendar and ordered printed.

THE ALL-AMERICAN CANAL

Mr. SNELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an official communication from the Legislature of the State of New York relative to the all-American canal.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Mr. SNELL. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following official communication from the Legislature of the State of New York relative to the all-American canal:

IN SENATE, STATE OF NEW YORK,
Albany, March 5, 1928.

Whereas the project of an all-American ship canal across the State of New York, connecting the Great Lakes with the Atlantic Ocean, continues to be a subject of public agitation and discussion and is of deep concern to the people of the State of New York and to the Nation at large; and

Whereas in the consideration of such project it has been urged that the route of the present Erie Barge Canal should generally be followed in the construction of the work; and

Whereas many populous communities exist along such route and many industrial establishments have for years been maintained thereon that would be served and benefited by such a ship canal; and

Whereas the work being done by the General Government in making a deeper channel in the Hudson River and the establishment of a port at Albany are well under way; and

Whereas the confluence of the Erie Barge Canal and of the Champlain Barge Canal is at the head of tidewater in the Hudson River at Troy: Now therefore be it

Resolved (if the assembly concur), That if the Federal Government shall decide to build a ship canal across the State of New York and the constitution of this State shall be amended in the prescribed manner so as to permit of the transfer to that Government of the existing Erie Barge Canal as a part of a national waterways route, it is the earnest recommendation of the legislature of this State that the eastern portion of such ship canal shall be built to follow the historic route of the Mohawk River and the Erie Barge Canal to the head of tidewater in the Hudson River at Troy, thus securing the advantages of existing canal structures and the continued serving and further development of the municipalities and the numerous important industries now established both along such route and in and between the cities of Albany, Troy, Schenectady, Watervliet, Rensselaer, and Cohoes; and be it further

Resolved, That a copy of this resolution be transmitted by the clerk of this senate to each United States Senator and Representative in Congress from the State of New York.

By order of the Senate.

ERNEST A. FAY, Clerk.

IN ASSEMBLY, March 21, 1928.

Concurred in without amendment.

By order of the assembly.

FRED W. HAMMOND, Clerk.

BENJAMIN S. McHENRY

Mr. MORIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4702) to remove the charge of desertion from the record of Benjamin S. McHenry, and concur in the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the bill (H. R. 4702) and concur in the Senate amendment. The Clerk will report the Senate amendment.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause, and in lieu thereof insert the following:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Benjamin S. McHenry, alias Henry Benjamin, late of Company K, Third Regiment United States Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 17th day of May, 1867: *Provided*, That no bounty, back pay, pension, or allowances shall be held to have accrued prior to the passage of this act."

Amend the title so as to read: "An act for the relief of Benjamin S. McHenry, alias Henry Benjamin."

Mr. SNELL. Is that the usual language?

Mr. MORIN. This simply puts in the Senate's own language.

Mr. LAGUARDIA. Reserving the right to object, I tried to follow the reading by the Clerk, and it struck me that the Senate bill specifically gives this soldier all the rights that may accrue from any existing law, while the House bill specifically excludes him from those benefits.

The SPEAKER. The Clerk will again report the amendment.

The Clerk again read the amendment.

The Senate amendment was agreed to.

THE WORLD WAR VETERANS' ACT OF 1924

Mr. JOHNSON of South Dakota. Mr. Speaker, the bill (H. R. 10160) amending the World War veterans' act of 1924 was referred to the World War Veterans' Committee, and by it referred to a subcommittee and unanimously reported from the committee. I ask unanimous consent that I may have until 12 o'clock to-night to introduce the bill as amended and the report of the committee in order that the bill may be placed on the calendar.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that he may have until 12 o'clock to-night to file the bill and report as stated.

Mr. JOHNSON of South Dakota. And to introduce a "clean bill"—the committee bill. By "clean bill" I mean one that can be easily read and easily understood.

The SPEAKER. Is there objection?

Mr. GARRETT of Tennessee. The gentleman does not need unanimous consent, does he?

Mr. JOHNSON of South Dakota. I am afraid I will not be able to get the report in before the House adjourns, and I want to call it up Monday if I can.

Mr. TILSON. As I understand, the gentleman wishes to call it up under suspension of the rules, and he wishes to have the bill in a clean form?

Mr. JOHNSON of South Dakota. That is the reason.

Mr. SCHAFER. Reserving the right to object, are we going to have the World War veterans' legislation at this session come under suspension of the rules and either have to vote it up or vote it down? The 4,000,000 World War veterans ought to have a day in the House for consideration of their legislation other than under suspension of the rules.

Mr. JOHNSON of South Dakota. I do not know what bills we will be able to get before the House, but I would like to get this one up as soon as I can.

Mr. LAGUARDIA. Can not the gentleman get the bill up under a rule?

Mr. JOHNSON of South Dakota. I would like the gentleman to have that chance.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. TILSON. Is not this a unanimous report from the committee?

Mr. JOHNSON of South Dakota. Yes.

Mr. TILSON. It seems to me that it is the kind of a bill that we should pass either under unanimous consent or under suspension of the rules.

Mr. GARNER of Texas. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. GARNER of Texas. Why not tell just the whole story about it? When you bring in one of these war veterans' bills, in which more than 4,000,000 people are interested, with a unanimous report from the committee, the object of the committee in having it taken up under suspension of the rules is to not give anyone an opportunity to offer an amendment.

Mr. LAGUARDIA. I know that.

Mr. GARNER of Texas. Because you might run away with it. With this tremendous pressure behind you, they want to take away from you the opportunity of doing something that you might do.

Mr. TILSON. Where the committee has on it as many friends of the veterans as the Veterans' Committee has, and they unanimously agree to a report, does not the gentleman think the interests of the veterans will be well taken care of by such a committee?

Mr. SCHAFER. Yes; but I do not for one minute believe that the committee by unanimous vote believe that all veterans' legislation should come up under suspension of the rules. I firmly believe that the great majority of the committee, in fact, practically the entire committee, desires veterans' legislation to have its day in the House.

Mr. JOHNSON of South Dakota. As a practical matter, the question before the House is whether I can put this bill on the calendar, introduce it as a clean bill, report it, and pass it.

Mr. GARRETT of Tennessee. Of course, if it is to be passed under suspension of the rules, the gentleman would not necessarily need to have a "clean" bill.

Mr. TILSON. Certainly not.

Mr. GARRETT of Tennessee. But if it is going to come up under suspension of the rules, I think it is quite proper that the gentleman should have the consent that he now requests so that we may at least have the opportunity of reading the bill and understanding it.

Mr. JOHNSON of South Dakota. That is exactly my reason. I wanted to get such a copy of the bill before the House so that every Member could see exactly what it contained. If this consent is granted, there would be that kind of a bill. If not, then the bill to be considered will come in with its several amendments, and it will be hard to determine just what it does provide.

Mr. LAGUARDIA. I am sure we ought to thank the gentleman for giving us an opportunity to read the bill. I think it is very gracious of him.

Mr. JOHNSON of South Dakota. I am very glad to do that for my distinguished colleague from New York.

Mr. SCHAFER. Mr. Speaker, under the reservation to object I wish to state that I shall not object to this consent. Since the creation of the World War Veterans' Committee there has not been a rule so that their legislation could be considered on the floor of this House under full and free debate, with opportunity of amendment. World War veterans' legislation has generally come before the House under suspension of the rules with only 20 minutes' debate on that side and no opportunity to offer amendments. I hope that the leadership on this side will give the veterans' legislation a day on the floor of this House. We have been adjourning over Saturdays for a number of weeks. Let us take one of the coming Saturdays to consider veteran legislation.

Mr. DYER. Can not they get a Calendar Wednesday day?

Mr. SCHAFER. No. Under the rules of the House they will not have Calendar Wednesday if the House keeps in session for a hundred years.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

ALLEGED ABUSE OF THE FRANKING PRIVILEGE

Mr. MCCLINTIC. Mr. Speaker, a newspaper has published an article which charges my improper use of the franking privilege. Rather than rise to a question of personal privilege, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for 10 minutes. Is there objection?

There was no objection.

Mr. MCCLINTIC. Mr. Speaker, ladies and gentlemen of the House, I am advised that one member of the Naval Affairs Committee has given out a statement to the effect that my franking privilege has been violated in connection with mailing out a minority report on the naval shipbuilding bill. The statement says that the House Naval Affairs Committee, in cooperation with the Post Office Department, is investigating the alleged abuse of the franking privilege by the so-called head of the National Council for the Prevention of War. I am a member of the Naval Affairs Committee. This morning I called on the acting clerk and asked him if any subcommittee of the Naval Affairs Committee, or the committee itself, had ever discussed that subject officially. I am advised that no such discussion has taken place. Therefore that part of the newspaper story is not true.

As far as the Post Office Department making an investigation is concerned, I have no knowledge with respect to that statement. I have invited all of the members of the Committee on Naval Affairs to be here this morning. I want to look them right square in the eyes. If there is a member of the Naval Affairs Committee here who has given out this report, I now invite him to make himself known. Evidently he is not here.

I have the most supreme contempt for anyone who would deliberately violate his franking privilege. If my franking privilege has been violated I want the fullest investigation to be made. I want every witness to come before some committee and be put under oath so that we Members may have some protection along this line in the future.

What about these minority reports? They were printed and distributed nearly 30 days before this charge of the improper use of my frank was given to the newspapers. This morning I am advised by the National Council for the Prevention of

War that the alleged extraneous statements which were claimed to have been found in my franked envelope were mailed out seven days after the envelope containing the minority report was put in the post office. Therefore, this being true, it would have been a physical impossibility for this organization to have included the alleged extraneous matter in the envelopes which carried my frank.

Now I want to say this: I wrote the minority report on the naval shipbuilding bill for the purpose of giving to the citizens of this Nation some information as to why such a program was being sponsored by the Navy. I wanted the taxpayers to know that without a single war cloud on the horizon an attempt was being made to saddle an expenditure on them without a single justifiable reason. In addition, I called attention to the fact in this report that when a proper allocation of ship tonnage had been made, the United States did not occupy a second position to any nation on earth. Furthermore, I called attention to the fact that the kind of ships sought to be authorized was the class that could not perform service in a war, unless properly protected by aircraft and other newer naval equipment. In addition, this report recommended that the kind of ships found most valuable in the last war be utilized in the future, and that our obsolete battleships be reconstructed in such a way as to make them their own aircraft carrier, thereby making it possible to use such a ship in case this country should be so unfortunate as to become involved in another war. This report was furnished to the individuals and organizations who desired information of this kind, and I made an earnest attempt to supply the needs of those who were interested in the subject of national defense.

In preparing this minority report for mailing purposes I did safeguard my office in every manner possible in this way: These minority reports were printed by the Government Printing Office. They were sent to the House folding room, a Government institution, and there I had them sealed before any disposition was made of them. In other words, they were sealed before anybody could have had an opportunity to place anything in them other than that which they contained when they were sealed.

And so the matter appears to me to be a very peculiar charge. I can not understand how I could be accused of violating the use of my frank or being a party to the violation of my franking privilege. Every one of these envelopes [indicating the same] contains my frank up in the corner. Therefore when they were sent out to the different States of the Union, if they were not delivered to the parties addressed, they came back to me. I have here about 20 that came back within the last few days, from probably 15 or 18 different States. My secretary has opened probably 300 of those returned, and without a single exception there was nothing found in them except this minority report.

Mr. SNELL. Mr. Speaker, will the gentleman yield there?

Mr. McCLINTIC. Yes.

Mr. SNELL. I do not understand what is the charge against the gentleman. I have not seen the newspaper article.

Mr. McCLINTIC. The charge is headed, "Abuse of the franking privilege." Mr. Libby is accused of sending his literature out in my franked envelopes.

Mr. SNELL. Do you claim it was not done?

Mr. McCLINTIC. I am asserting that I took every possible safeguard and gave instructions to the House folding room to seal all of them before they went into the hands of any other person. Therefore it is hardly possible that these extra insertions were made.

Mr. SNELL. They have not been put in, so far as you know?

Mr. McCLINTIC. No. I am advised that the organization which it is said put in extraneous matters did mail out seven days after my speeches were mailed certain literature in separate stamped envelopes, and so, Mr. Speaker, it seems that someone has deliberately collected certain pamphlets mailed by this organization and then taken one of my envelopes and its contents down to the Post Office Department and asked, "Does this violate the franking privilege?"

Mr. SNELL. Mr. Speaker, will the gentleman yield for one more question?

Mr. McCLINTIC. In a second.

Of course, the Post Office Department would say, if you brought down one of those minority reports and a lot of appeals for money and other extraneous matter that were inclosed in the same envelope, that it did violate the franking privilege. But it seems to me that, having had five or six hundred of these envelopes returned from almost every State in the Union, certainly some of the returned envelopes would have contained the extra pamphlets if they had been included by this organization.

Mr. SNELL. Could these envelopes have been opened after they were mailed?

Mr. McCLINTIC. They could not without going to a lot of extra trouble.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BANKHEAD. Does the newspaper article state the name of anyone who makes the charge?

Mr. McCLINTIC. No. I was advised by a member of the press that one of my colleagues on the Naval Committee had given out this statement.

Mr. BANKHEAD. Did you ask that newspaper man the name of the Member?

Mr. McCLINTIC. The newspaper man is one well known to the gentleman.

Mr. BANKHEAD. Did he give you the name of the member of the committee who made that statement?

Mr. McCLINTIC. He did not.

Mr. BANKHEAD. Did the gentleman make an inquiry of the Post Office Department or at the substation as to who had violated the privilege?

Mr. McCLINTIC. No. I am asking that an investigation be made by some committee of Congress, and that every witness coming before that committee be put under oath, and thus establish a proper precedent in cases of this kind.

As I view this whole plan and the secrecy with which the statement has been given out, it seems that there is an element of rottenness in this alleged violation. I can not help from having a suspicion that there is a "nigger in the woodpile." Everyone knows that we have had a lot of controversy over the subject of the naval shipbuilding program; everyone knows that the church people and the different religious organizations have taken a leading part in opposing this bill for the reason it was a monstrosity, unwarranted by any situation that exists in the world at the present time with respect to war, and I opposed the same on the grounds that it was unscientific and would bring about a deliberate waste of a lot of money which should be expended for other purposes. In other words, there is going on in this country a terrific struggle between the militarists and capitalists, who would profit by such a program, and those who are affiliated with the different religious organizations who believe in peace and who follow the Biblical injunction—

Blessed are the peacemakers, for they shall see God.

I want to say to this House that the salvation of the world depends upon education and religion. Religion did more to soothe the savage breast of the aborigines than all the other influences together, and if a student of history will go back to the Dark Ages in Europe he will find that the Christianizing of the barbarians was the movement that did more to lift them out of a bad condition than anything else. He will also find that the missionaries did more to inspire confidence in the aborigines of this country than all of the military organizations.

Therefore I am going to lend my influence always to those who proceed upon the theory that kindness and brotherly love will do more to soothe the feelings of a discordant element than any other thing that can be brought about. What is the situation with respect to this controversy? All of the naval activities have been put forth to mold sentiment in favor of this shipbuilding bill. The Secretary of the Navy has been making speeches throughout the Nation; the Assistant Secretary of the Navy has been out damning the churches, the newspapers, and every other element that has been opposed to war. Last week the columns of the United States Daily for three days carried articles from Secretary Wilbur with respect to war and the superiority of the battleship over all other types of ships. In other words, the Secretary of the Navy is the mouthpiece for a lot of ancient antiquarians who try to stress the superiority of 24-inch guns over an airplane that will carry a projectile for a thousand miles. Thus it can be seen that everything on earth is being done to mislead the people and destroy those who have the courage and honesty to fight against such a program, and I am not surprised that a charge of this kind is being made against the use of my frank. Why did those interested in this subject wait 30 days to make this charge? How easy it is to collect some of the literature that has been sent out by the Council for the Prevention of War and then tear open one of my envelopes, slip it in, and then take it down to the Post Office Department and say, "See here what McCLINTIC is allowing to be mailed out under one of his franks!"

Let us have a full investigation of this matter. I want to be confronted with those who have made this accusation. I have nothing to cover up, and I want the truth always to prevail.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

Mr. McCLINTIC. I ask unanimous consent to proceed for five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCLINTIC. I have taken the position that the naval construction bill was a monstrosity; that it would bring about the expenditure of a lot of money without providing the kind of implements of war that were needed in an emergency. Therefore this element that seems to be opposing those who would have peace, as evidenced by their attitude before the committee, is now trying to reach out a little bit further and strike below the belt in an alleged charge which I do not believe to be true.

Mr. BLACK of New York. Mr. Speaker, will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BLACK of New York. Has the gentleman asked the National Council for Prevention of War if they have done that?

Mr. McCLINTIC. They said they had mailed out appeals for money and that they were sent out seven days after I had mailed the minority report. Therefore I say it would be a physical impossibility for these envelopes to contain that extraneous matter.

Mr. BLACK of New York. Did they say they had sent them out under your envelopes?

Mr. McCLINTIC. No; they did not.

Mr. BROWNING. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BROWNING. Does the gentleman who is alleged to have sent out this extraneous matter emphatically deny that he sent anything of that sort in your franked envelopes?

Mr. McCLINTIC. Yes.

Mr. BROWNING. Did he mail out any of the gentleman's minority report?

Mr. McCLINTIC. Yes.

Mr. BROWNING. But the gentleman says those envelopes were sealed before he received them?

Mr. McCLINTIC. Yes; they were sealed in the folding room by Government authorities.

Mr. BLANTON. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BLANTON. The gentleman from Oklahoma ought to feel highly gratified, because they never hit at anybody unless he is doing something for the country.

Mr. McCLINTIC. Well, I want to say that the way I view this subject is that every man is charged with a certain amount of responsibility, that he ought to be conscientious in the performance of his duties and ought to believe what he says.

Mr. BLANTON. And the fact that they are shooting at the gentleman shows he is doing splendid work for his constituents.

Mr. McCLINTIC. That is very nice of the gentleman. I just want to say that no Member of Congress ought to be charged with any kind of a frame-up like this. These envelopes which I brought here with me were never opened until this morning, and they have been opened in your presence by one of the employees. Here they are. They are from about 15 or 18 States and were taken from some 500 that have been returned to me. Not a single extraneous statement has been found in any of the envelopes, and therefore I brand this as a frame-up of the rankest kind.

Mr. SNELL. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. SNELL. The gentleman asks that an investigation be made. As I understand, the precedent is that when a charge is made that a Member's frank has been improperly used he should make a complaint to the Post Office Department, and that department has all of the machinery necessary to make a proper investigation. So is not that the proper place in which to lodge the gentleman's complaint, rather than to have an investigation made here?

Mr. McCLINTIC. I will say to the gentleman that I have no desire to impose upon this Congress any useless machinery, and I prefer to have the investigation made in the regular way. I did not even care to take the time of the House by presenting a question of personal privilege, but I believe every Member of Congress is interested in a fair and square deal, and when any such implication as is contained in these charges is made I believe it is the duty of a Member to come out in the open and not hide himself. I believe he should not be afraid to come out and look any man in the eye. I resent any attempt of this kind to charge that a Member is not performing his duty, and I resent any such unjust charges being made, and I for one desire to have the charges proved or disproved.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. HOWARD of Oklahoma. If the gentleman is satisfied that some one has done this, does he not think it is his duty to the rest of the Members of Congress to find out who the man is and let the rest of us know, so we can guard ourselves against him?

Mr. McCLINTIC. I thank the gentleman for his suggestion, and I believe that before night we shall know who it is that made this charge. I ask for the fullest investigation, having in mind that when this is brought to light no man will swear that he has opened envelopes containing this minority report and other matter that is not properly frankable.

RESOLUTION OF THE MISSISSIPPI LEGISLATURE

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to address the House for one minute in order to present resolutions from my State legislature.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LOWREY. Mr. Speaker, there are in the South many miles of valuable lands which can be reclaimed and turned to effective use in agriculture. We think that can be done for less money than it has cost to reclaim the arid lands of the West. And when thus reclaimed these southern lands would be quite equal to the western lands. There has been a bill introduced to that effect in the Senate by Senator McKELLAR, of Tennessee, and a bill in the House by the gentleman from Georgia [Mr. CRISP]. I hold in my hand resolutions which have been passed by the legislature of my State favoring the passage of those bills. The resolutions are sent to me by the secretary of state of the State of Mississippi, and I ask permission to extend my remarks by printing the resolutions in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The resolution follows:

A concurrent resolution indorsing the reclamation program of the Department of the Interior (the home-making department of our Government) for the establishment of rural communities in Mississippi and other Southern States and memorializing Congress to give its support to the measure and commending the Mississippi State Board of Development for its activities in connection with the program

Whereas the Bureau of Reclamation, Department of the Interior (the home-making department of our Government), has proposed a very definite and practical plan for assisting southern agriculture by the establishment of a colony in each Southern State of 200 farms or more, to be sold to selected farmers in the South and other States on convenient terms; and

Whereas these colonies will be under the supervision of experts who will provide the plan for production and marketing of farm products; and

Whereas the successful agricultural districts of the world have been based upon such community units, which have resulted in home ownership, the most urgent requirement of the Nation; and

Whereas the public domain of the United States adapted to present-day remunerative economic use is practically exhausted; and

Whereas the vast areas resulting from timber operations in the Southern States because of their proximity to our great consuming centers and to our ports are worthy of immediate serious attention with respect to present beneficial use and ultimate settlement and development; and

Whereas practically all efforts at so-called colonization have been in large measure unsuccessful and neither lasting nor permanent, and because of their too intensely commercial aspect have largely resulted in a loss of public confidence, and have often brought their promoters into national disrepute; and

Whereas the problem of home making is one of national importance and should command the assistance, support, and best thought of all agencies: Now therefore be it

Resolved, That it is the sense of the Legislature of the State of Mississippi that the opportunity for reestablishing southern agricultural life upon a sound basis presents itself in the plans proposed by the Department of the Interior and that the reclamation policies be extended to include the South and not restricted to other parts of the country; and be it further

Resolved, That copies of this resolution be sent each Congressman and Senator from Mississippi urging their vigorous support of Senate bill No. 2015, introduced by Senator McKELLAR, of Tennessee, and of House bill 8221, introduced by Representative CRISP, of Georgia; and be it further

Resolved, That we commend the efforts of the Mississippi State Board of Development which have resulted in the selection of a site in Mississippi for the location of one of the proposed colonies, and that

the board be urged to continue its aggressive efforts to bring about the early adoption of the program now before Congress.

I, Walker Wood, secretary of state of the State of Mississippi, do hereby certify that the above and foregoing is a true and correct copy of Senate Concurrent Resolution 19, acts of the Legislature of the State of Mississippi of 1928, as shown by the enrolled act thereof on file in my said office.

Given under my hand and the great seal of the State of Mississippi this 12th day of April, 1928.

[SEAL.]

WALKER WOOD,
Secretary of State.

UNIVERSAL DRAFT LAW

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for two minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, a few days ago the distinguished chairman of the Committee on World War Veterans' Legislation [Mr. JOHNSON of South Dakota] made a very able address on the floor of the House in which he appealed for the passage of the Capper-Johnson bill, known as the universal draft law.

Considerable criticism has been directed toward the gentleman from South Dakota because he sought to enforce a drastic rule by securing a sufficient number of signatures from Members of the House to force this measure out of the Military Affairs Committee, where it appears to be peacefully sleeping.

Being a new Member of Congress, it is not mine to say whether or not the chairman of the Veterans' Committee employed the correct method of procedure, but his drastic action has called the attention of this House and the country to the fact that another Congress will likely soon adjourn without passing the universal draft law, which would draft money, materials, industry, and labor, as well as men, in case of future wars.

It is not my purpose to apologize for America's part in the World War. And I drew no such inference from my distinguished colleague's able address, as some of you gentlemen seem to have done. There never has been a doubt in my mind that the war with Germany was inevitable. Entering that terrible death struggle, as America did, woefully unprepared, our country finished the job much more quickly than the most optimistic had dreamed it could be done. But that is not the issue here. That has nothing to do with the merits of this measure, which has been pending in Congress for the past six years and which, if passed, would be a great forward step in outlawing war.

Nor have I any criticism of the draft law Congress passed 11 years ago, except that it did not go far enough. It did not even attempt to outlaw unconscionable profiteering, as has been the case in every war in which America has participated. There is no escape from the fact that during that last awful conflict, while our boys were "carrying on over there," and every loyal American at home was saving and sacrificing in a heroic manner, the moneyed oligarchy was playing its evil and dastardly trade. Bold and flagrant profiteering ran rampant in our land.

We saw 4,000 new millionaires made almost overnight. We saw sugar kings buy Cuban sugar at 6½ cents per pound and force the American public to pay 25 and 30 cents for it. We saw coal barons triple the price of coal within a few weeks, while we were in that desperate death struggle. We saw the sorry spectacle of munition makers harvesting millions, while your sons, who faced the machine-gun bullets they made, received \$1 a day. We witnessed much pillage and graft during those dark days, and this Government was helpless, as our people groaned under a heavy tax. Some concerns, especially those having Government contracts, boldly admitted they made 150 per cent profits. Investigations which followed disclosed not a few made profits as high as 700 per cent.

Concerns having Government contracts to make soldier's uniforms, overcoats, overshoes, and raincoats profiteered in a brazen and shameful fashion. Several Members of this House wore those so-called raincoats made by profiteers, as did the other boys on the rain-soaked battle fields of France. And well do you recall that the raincoats you were forced to wear resembled a mosquito bar more than a raincoat. Investigations disclosed that the heartless, unpatriotic plunderers who secured the contract to make 1,000,000 raincoats for the Government purchased a sufficient amount of india rubber to make that number according to specifications. Later they received orders for 7,000,000 coats, so those conscienceless profiteers stretched this rubber purchased for only 1,000,000 garments to cover the entire number of 7,000,000 raincoats. No small per cent of the

60,000 brave men who were buried on European soil died of exposure and cold attributed directly to war profiteering in worthless raincoats, overcoats, and overshoes which our soldiers were forced to wear.

Another class of profiteers the generation which bore the brunt of the war will not soon forget are some of those much-advertised, alleged heroes who offered their valuable services to the Government at \$1 per year. Some of those distinguished gentlemen who are to-day numbered among the world's wealthiest men were pictured as great, self-sacrificing citizens then. But this generation still remembers and resents the acts of those self-confessed war heroes extensively advertised as having offered their valuable services to our Government for only \$1 per year. It was later learned that many of them were dealing in Government contracts, whereby they robbed our Government of millions. With their right hand they accepted a pittance from the Government, but with their left hand they were reaching back and pillaging people of millions in war profits.

The farmers and small business men did not ask nor expect such enormous profits. The farmers furnished a large per cent of the finest boys for the World War who ever wore uniforms, and then paid more than their share for that war. [Applause.] Although the farmer was forced to pay \$10 per day for labor, 25 to 30 cents a pound for sugar, if he got any, and ordered not to eat white bread, the price was set on his grain which reduced the market price 30 cents per bushel on the farmer's wheat.

Nor have some of us forgotten those awful, heart-breaking hours when our recruits were loaded in like cattle and rushed to training camps. The soldier laborers and soldier carpenters at camps received their \$1 per day, while the civilian who was physically unfit, working side by side with the soldier, received \$10 per day and more. The young man who happened to have only one eye, or who was otherwise incapacitated for military service, was recognized as being worth ten times that of the man in uniform. The law we are to-day advocating, if passed, would mean that never again can such injustices obtain in this land of the free.

We see our soldiers as they are jerked from the training camps before learning to load a rifle, and started for Hoboken, where they find the shipbuilders and other less hazardous jobs paying civilians \$10 to \$20 per day. We see our lads as they "go down to the sea in ships" and cross the treacherous, darkened ocean, where the enemy submarines lie in wait to drag them down to death without giving them a fighting chance. We see them landing on a foreign soil and listening to tongues unknown to them.

We see our Americans rushed to the rescue of the Allies, who were not only heartsick but terror stricken, and whose lines were cracking and breaking before the onslaught of the hitherto unconquerable enemy. We see them at Chateau-Thierry, St. Mihiel, at St. Etienne, and in the Argonne Forest. Many of you had a map on the wall at home, and as you eagerly read your morning paper you stuck a pin in the map showing exactly how far the Americans had advanced. May I remind you that not one time after our boys took over any salient was it ever necessary for you to place that pin backward. [Applause.]

Then came the glad tidings of peace. The Thirty-sixth Division, the outfit I served in, had relieved the marines on the front and had suffered a loss of nearly 3,000 men killed and wounded. After receiving reinforcements the Thirty-sixth Division had moved over to the little shell-torn village of Treacourt, near Verdun, awaiting orders to go back once again into that black wave of death and destruction. On that fateful November 11 I saw those men rise up out of the mud and filth and cry for joy that the war was over. "Finis la guerre" was on the lips of the few peasants left in that village. "The war is over," resounded around the world. Those men who rose out of the mud that day purposed in their hearts that never again should war be waged if such could possibly be averted. These same men fervently believe this pending measure the logical and practical way of maintaining peace. The question I desire to ask is, Shall we keep faith with our men who took part in that memorable struggle, including "those who sleep where poppies grow"?

The American Legion, Veterans of Foreign Wars, and many other organizations have all gone on record many times since the close of that conflict in favor of a universal draft act, proposing to conscript all of our Nation's resources in case of war. Members of the Legion who have caught the torch of their fallen comrades and who are still carrying on contend and are insisting, Mr. Speaker, that money and materials are no more sacred than the young manhood of America.

For my part, Mr. Speaker, may I say here that I am not a recent convert to the soundness of the pending measure. Many years ago, as a member of the State Senate of Oklahoma, I sponsored a resolution urging the Congress to pass the universal draft act, a resolution which was adopted by a unanimous vote of our legislature. I have advocated this measure in my campaigns, believing it to be of great, vital importance to the peace and security of mankind.

May I remind my Republican friends in this connection that your last national convention pledged your party to support this measure? The Democratic National Convention, as well as the recent State convention of the party in Oklahoma, likewise indorsed the universal draft law, and I do not hesitate to say that had the Democrats been in power these years and failed and refused to pass this much-needed legislation, I would not hesitate to condemn my party for its failure to keep its promises to the people.

This measure has been pending since 1922, and the only excuse—a pitiful one, offered on this floor the other day—for the failure of the committee to bring out this bill is that it will require additional hearings. It required no hearings to place this in the platforms of both parties, but now you quibble about committee hearings. I hold in my hand one volume of 250 pages of hearings. This measure has been discussed in Congress and on the stump for six years. Unless action is taken before the Seventieth Congress adjourns, I am of the opinion there will be "hearings" from the people aplenty. And those leaders responsible for all this delay and inaction are going to hear; the people will speak in a plain and unmistakable way.

If peace is to be maintained in this great land of ours we must take the profits out of war. We must eliminate the blighting effects of the damnable profiteers who have amassed great fortunes out of war. We must make it plain to our people and the world that property is no more sacred to America than human lives. We must conscript every available resource in this country in case of armed conflict. That will do far more, Mr. Speaker, toward perpetuating the peace of the world than all the peace conferences held in the past decade. Let us eliminate the profits of war, and then, when the other nations follow our example, peace will breathe as fragrantly in the world almost as if the day of redemption had come. [Applause.]

LEGISLATIVE APPROPRIATION BILL

Mr. MURPHY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12875, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the bill.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from Ohio if he will return at this time to the two items in the bill that were passed over yesterday upon my request. I do this because it is almost imperative that I be absent from the Chamber later in the afternoon, and I would rather take the matters up now than later.

Mr. MURPHY. Mr. Chairman, replying to the gentleman, I would say that ordinarily I would absolutely refuse to do so, but under the circumstances, and especially in view of conditions in my colleague's home, I feel rather constrained to comply with his request and return to the item at this time. If the situation were otherwise, I certainly would not consent at this time, because it was a matter of courtesy to the gentleman that unanimous consent was asked that these items be passed over. I hope I may have the permission of the rest of the committee in granting this request.

Mr. TAYLOR of Colorado. I will say that it is with a great deal of regret I consent to returning to these items, because I feel we ought to go on now, if we are to finish the bill to-day, and then turn back to these items after we have concluded the reading of the bill. This would be the orderly way of doing it. If we start in on these matters now, I do not know whether we will get through with the bill to-day or not.

Mr. UNDERHILL. It will only take two minutes.

Mr. MURPHY. I have no objection.

Mr. TAYLOR of Colorado. I am not objecting.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent that we now return to the two items that by unanimous consent were passed over on yesterday, the first one being the item at line 1, page 15.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to page 15, line 1. Is there objection?

There was no objection.

The Clerk read as follows:

OFFICE OF SERGEANT AT ARMS

Salaries: Sergeant at Arms, \$6,500; Deputy Sergeant at Arms, \$2,880; cashier, \$4,500; assistant cashier, \$2,500; two bookkeepers, at \$3,000 each; Deputy Sergeant at Arms in charge of pairs, \$2,500; pair clerk and messenger, \$2,500; temporary stenographic services, \$600; skilled laborer, \$1,140; hire for automobiles, \$660; in all, \$29,720.

Mr. UNDERHILL. Mr. Chairman, I raise a point of order with reference to this paragraph that it is legislation on an appropriation bill, and therefore should be stricken out.

The CHAIRMAN. Does the gentleman deem the entire paragraph subject to a point of order?

Mr. UNDERHILL. I reserve a point of order.

Under the reservation I wish to say that this item increases certain salaries in the office of the Sergeant at Arms and also abolishes a position in that department.

These matters were taken care of in a resolution introduced earlier in the session, which has not as yet been acted upon. I feel from the study by a special committee which has been given to the question of the entire personnel of the House employees in the Capitol and House Office Building there should be no discrimination. They should all be treated alike. If we are going to raise any salaries, we should raise them all, and if we are not going to raise those who are the poorest paid, those who are getting less than \$1,200 a year, I am opposed to playing any favorites, and consequently I very regretfully make this point of order and expect a little later on to introduce a comprehensive, scientific rearrangement of all of these employees and their salaries. I will then leave it to the House to decide whether they think they should be treated as a group or whether we shall make exceptions in certain cases.

Mr. MURPHY. The gentleman reserves his point of order?

Mr. UNDERHILL. I reserve the point of order to hear any statement that the gentleman from Ohio may desire to make.

Mr. BLACK of New York. Will the gentleman yield?

Mr. UNDERHILL. Yes.

Mr. BLACK of New York. Will the gentleman indicate whether or not in his opinion the other resolution, to which he has referred, is liable to be reported soon?

Mr. UNDERHILL. Yes.

Mr. MURPHY. Mr. Chairman and gentlemen of the committee, many of you were not here the other day when I attempted in 10 minutes to explain this bill to you. This is a housekeeping bill, having to do with the activities of the House.

The employees that are handled in this bill and whose fortunes are tied up in this bill do not come under the reclassification act. They have no hope of an annuity at any time in their lives or when they retire from service. They have nothing in this way to look forward to in any way, shape, or form.

There has been no committee of this House charged with the responsibility of legislating at any time for the entire personnel of the legislative establishment. The gentleman who is making the point of order was appointed, I think—or thought he was, at least—a committee to investigate and rearrange the positions in the legislative establishment of the Government.

The particular matter to which the gentleman is objecting does not have a very good and substantial background. Taking his own scientific measure as a basis, we find his bill only touches one salary that we have here attempted to raise, and that is the salary of the assistant cashier.

Mr. UNDERHILL. Will the gentleman yield right there? The gentleman is entirely mistaken. It affects the personnel of all except the cashier. The resolution to which he refers increases the salary of the assistant cashier. It creates a new office in giving him an assistant and it promotes the laborer to messenger, and increases his salary, and all of these officials have to handle large sums of money, have to be bonded and pay for their own bond. It does not increase the salary of the cashier, but other than that it affects the personnel of several employees in the Sergeant at Arms' office.

Mr. MURPHY. I will say for the benefit of the House that the general resolution did not touch the cashier. The resolution does not raise the present messenger to assistant cashier. In our bill we are attempting to give him the designation of assistant cashier and to raise his salary to \$2,500 a year. As the gentleman well knows the assistant cashier, now known as the messenger takes his turn in the cage with the cashier and handles between four and five million dollars a year. This messenger must pay for his own bond out of the salary he receives which is \$1,720.

The Sergeant at Arms made such a good case before the committee that it was the unanimous opinion of those who heard the testimony that something should be done in rearranging the title of those who served in this office. I say this is legislation, gentlemen of the committee, but there is no other committee that is charged with the responsibility of legislating for this House and for the Senate—for the legislative establishment. The gentleman's committee went into session and labored some weeks preparing a resolution of some kind that only touches those particular activities in one place and raises the salary of this man from \$1,720 to \$2,100—

Mr. DYER. This is the only chance of giving this man a raise in salary at this session, is it not?

Mr. MURPHY. The only chance.

Mr. GARNER of Texas. Will the gentleman yield? I understood the gentleman from Massachusetts announced that he has prepared a bill in reference to this matter, and I wonder what he has been holding it back for.

Mr. MURPHY. I presume the gentleman from Massachusetts can tell the gentleman why.

Mr. GARNER of Texas. I think it is pretty clear from the debate on that side of the House that we will have to wait until the Democrats come into possession of the House, when the matter will be remedied.

Mr. SCHAFER. Will the gentleman yield?

Mr. GARNER of Texas. Oh, no; I was only talking to the other side of the House. [Laughter.]

Mr. UNDERHILL. I think I can clarify the situation. The gentleman from Massachusetts has no quarrel or difference of opinion with the committee in the raising of salaries. They are justified. I will say also that the committee, which was duly authorized by unanimous vote of this House, labored four months on this situation and made a complete and exhaustive investigation. The question is whether you are going to take a few who are deserving, and who evidently are favored, raise them and ignore all the rest.

I want a chance to stand on this floor and defend the work which I performed for over four months in the vacation period, an opportunity to do an act of justice, and also an opportunity of getting rid, if you please, Mr. Chairman, of some very unnecessary incumbents who are drawing salaries and doing no work.

Mr. MURPHY. Mr. Chairman, I am deeply interested in what the gentleman says. I think the gentleman ought to be a little broader gauged to-day; I think he ought not to allow the pride of authorship to step in the way and interfere with these men receiving what is fair in the way of compensation for that which they do for the safety of the Government for the work which they perform in the Sergeant at Arms' office.

This committee has nothing to do with reallocating these positions, and we are not attempting to do that. This is a housekeeping matter. This is a matter that comes before the committee, and we seek to do justice. We look after the legislation necessary to protect and take care of these employees that we have attempted to do something for in this bill. The total increase in the Sergeant at Arms' office, if the salaries are rearranged, is only \$600, a mere bagatelle. I do hope the gentleman from Massachusetts simply because of pride of authorship will not step in the way by making a point of order.

Mr. UNDERHILL. The gentleman from Massachusetts has no pride of authorship at all. It is the only way the gentleman can get a hearing, and so the gentleman from Massachusetts is taking an attitude which may not meet with the approval of the House, but it is in his own defense.

If the gentleman was going to clean house in this department, why did he not authorize the absolute elimination of the office of Assistant Sergeant at Arms? The only duty of that office consists of a man bringing the mace up from downstairs and putting it in the block, then going off into the corridor and having an easy time until the mace has to be taken down again and brought downstairs—a duty which has been performed by one of the pair clerks throughout this whole session and which was neglected to such an extent in the last session that the Assistant Sergeant at Arms at the close of the session went off and left the mace in the block and left us in session here all summer long! [Laughter.] Why did not the gentleman clean house while he was about it?

I am sure there would have been no objection from the gentleman from Massachusetts, and there would have been no increase in the amount of money expended. To make it absolutely clear, the gentleman from Massachusetts has tried to get this matter before the House. He has failed to get it before the House. By making the point of order at this time the gentleman from Massachusetts believes that he can eventually get his resolution before the House and can do it only in that way. Consequently, he is taking advantage of the situation.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURPHY. Mr. Chairman, I assure the gentleman and the Members of the House that it has not been the province or the desire in any way, shape, or form of this committee to go into general legislation of any kind. These little things that we have picked up in this bill seemed to be essential. They seemed to be necessary. I am surprised that the gentleman from Massachusetts criticizes an office held in this House from time immemorial, an office created by law. If, perchance, the person who filled that office might forget the mace and leave it standing on its pedestal, surely no injury has been done to this legislative establishment. But that has nothing whatever to do with this matter. This committee comes before the House, frankly, openly, stating to you that this is your home, this is your establishment, and that you are legislating here for those who serve you. It is up to you to take care of this matter, if you choose to do so, and I say to my friend from Massachusetts that I think, in view of the sentiment of the day, in view of the sentiment that prompted this committee to give to the gentleman an opportunity to come before the House at this time, he ought to think of these men who are worthy of what they are allowed by this bill.

Mr. UNDERHILL. They will get it under my resolution, every one of them.

Mr. MURPHY. But the gentleman's resolution is not before the House.

Mr. UNDERHILL. I hope it will be.

Mr. GARNER of Texas. Why does not the gentleman from Massachusetts submit it to the House in the form of an amendment at this time and take his chances before this Committee of the Whole?

Mr. UNDERHILL. I am willing; give me a chance. That is all I ask for.

Mr. GARNER of Texas. But the gentleman makes the point of order and wants to strike it out.

Mr. UNDERHILL. I have reserved the point of order.

Mr. GARNER of Texas. Why not withdraw your point of order and offer your amendment and let the Committee of the Whole strike it out?

Mr. UNDERHILL. I can not do that, because my resolution embraces more than this one office. It involves every committee, every clerk, and every assistant clerk of a committee.

Mr. COCHRAN of Missouri. Offer it as far as the Sergeant at Arms' office is concerned.

Mr. UNDERHILL. My resolution increases the salary of 153 employees of this House.

Mr. MURPHY. The gentleman will agree that this committee is not attempting any reorganization of the House.

Mr. UNDERHILL. Oh, of course it is not.

Mr. MURPHY. But the gentleman will have to agree and tell the House that he is holding up this legislation on this bill simply because he wants to force a reorganization of the legislative establishment so far as the House of Representatives is concerned, and he wants to do it in his way.

Mr. UNDERHILL. That is the interpretation of the gentleman. I plead guilty.

Mr. MURPHY. Mr. Chairman and gentlemen of the House, you can see what we have tried to do. The responsibility is yours, because we can not help ourselves under the rule if the gentleman from Massachusetts insists upon the point of order. The gentleman from Massachusetts has made up his mind to make this point of order, and your committee which has attempted to do something to help along orderly housekeeping in this establishment is absolutely helpless at this time. We have to submit to any point of order that the gentleman from Massachusetts makes. You have listened to the gentleman and have found out the motivating influence behind his action.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts has reserved the point of order. Under that reservation there has been two recognitions. The gentleman from Massachusetts was recognized first, and the gentleman from Ohio next.

Mr. UNDERHILL. Mr. Chairman, I ask unanimous consent to speak for five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. UNDERHILL. Mr. Chairman, in order that the House may know the motive which actuates me in reserving this point of order, I want to go back a little way, returning to the last

session of the House. At that time the House unanimously, under the recommendation of the Committee on Rules, referred to a special committee this question of readjustment and realignment of salaries and of positions. I stayed here for two months after the other Members went home, worked with the other members of that special committee, and interviewed the head of every department, took their recommendations and wrote them into a prospective bill.

I returned here on the 1st of October and I worked every day with the other members of the committee. We went into every nook and cranny of this part of the Capitol and of the House Office Building.

Mr. KING. Mr. Chairman, will the gentleman yield at this point?

Mr. UNDERHILL. No; I want to tell the story. It is the only chance I have had.

I spent over a thousand dollars for hotel accommodations here in Washington when I had a perfectly good home in Massachusetts. I spent four months of time. I had no friends to reward and no enemies to punish, and I doubt if, outside of a few men on the floor of the House with whom I come in daily contact, I knew a single employee.

We took the committees and we classified them, and we raised the salaries of assistant clerks and of janitors and such other employees as were poorly paid employees of Uncle Sam, getting \$900 a year and working not only while the House was in session but 365 days in the year. We raised those poorly paid employees. We tried to equalize the pay of the expert clerks in the Ways and Means, Interstate and Foreign Commerce, and in the Judiciary Committees to somewhere near the amounts which had been raised previously in an appropriation bill to the clerks and employees of the Committee on Appropriations.

Now, when that bill was presented to the House it was so scientific that the employees could not understand it.

Mr. KING. Mr. Chairman, I want to raise a point of order. Is the gentleman talking to the point of order that he raised?

The CHAIRMAN. The gentleman asked unanimous consent to address the committee.

Mr. UNDERHILL. Now, the gentleman from New York [Mr. MacGREGOR] tried to get the bill up. It was misunderstood, because we wrote into the bill, in the first place, that such and such offices should be abandoned. For instance, we took the barbers and we wiped the barbers who were down as "cloakroom employees" off the slate; but later on, three or four pages later, we reinstated them as "attendants." In other words, we did not try to delude the public into thinking that these men were cloakroom employees, when they were barbers, but we put them on the roll as attendants. The barbers, however, thought that they had been kicked out and they, with others equally mistaken, got a lobby to oppose it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. UNDERHILL. Mr. Chairman, may I proceed for five minutes more?

Mr. KING. I object.

The CHAIRMAN. Objection is heard.

Mr. SNELL. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. SCHAFER. Reserving the right to object, on what subject?

Mr. SNELL. On this subject.

Mr. SCHAFER. Will the gentleman yield for a short question?

Mr. SNELL. I will yield at any time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNELL. Mr. Chairman, there was an almost unanimous opinion among the Members of the House who talked with me on this subject that there was actual need of a reorganization of the employees of this House. The matter was given considerable attention at the last session of Congress, and the Committee on Rules took it up, and a resolution was offered on the floor of the House to create a special committee to take into consideration this subject and bring about a reorganization of employees and adjust the pay of the men who do this work. That resolution received a unanimous report, I believe.

I know that the members of that special committee spent a great deal of time in making the investigation. I think they prepared a good report. It may not be absolutely perfect, but generally they equalized the pay of people doing the same class of work; raised the pay in some cases, and in others abolished the positions. They did the whole thing from an absolutely impartial standpoint. They did exactly what the members asked

them to do, and exactly what ought to be done to procure efficient service. Now, as far as the Committee on Appropriations is concerned, I personally went before that committee a year ago and asked them to adjust the pay of one of the clerks of my committee. They said they had no right to do it because it was not authorized by law. I accepted their statement on that ground, because I thought they were correct, and I do not think that is the way to do it, and we started it right when we created this committee to do it. And I want to say to the House that the work of the special committee of the Committee on Accounts was well done. The measure which they brought in ought to be brought up on the floor of this House and be presented and discussed and disposed of. It is entitled to full consideration; if the House approves, adopt it; if they do not, reject it. I want to see how many Members want to vote to keep a position where the occupant has nothing to do.

Mr. KING. Mr. Chairman, will the gentleman yield?

Mr. SNELL. In a moment. The only reason why there was opposition to that report was that, first, the Members did not understand it; and, second, it did away with certain positions where no service was performed. I am in favor of doing away with those positions, and am willing to go on record to that effect.

Mr. KING. If such thorough work was done in this housecleaning proposition as is stated to have been done, why did they retain 30 employees in the kitchen in the restaurant downstairs when there is not 30 square feet of space down there for them to stay in?

Mr. SNELL. I can not answer that, but I expect the committee can.

Mr. UNDERHILL. What does the gentleman say?

Mr. KING. Does the gentleman know why they have not investigated the kitchen? There are so many dishwashers down there that they can not operate.

Mr. MacGREGOR. Has the gentleman ever been down in the kitchen?

Mr. KING. No. You have a lot of men cleaning silver down there, and they are on the pay roll. Certainly, we should have the silver cleaned.

Mr. SNELL. I am in favor of the special committee's report, and if there is any need of cleaning up the kitchen I am in favor of having it cleaned up, and expect to keep the number of men necessary to do the work.

Mr. KING. You have them on the pay roll.

Mr. UNDERHILL. You and your wife come in there and demand service, and you get it.

Mr. KING. And we pay for it, too.

Mr. SCHAFER. Will we have this special resolution mentioned by the gentleman from Massachusetts [Mr. UNDERHILL] brought in under a special rule, or will it be brought in so that it will be open for amendment?

Mr. SNELL. I am in favor of bringing it in and fully discussing it, and if there is anything in it that is not right, it can be pointed out and corrected, but after the work that has been done by the committee, its work should be considered by the House and disposed of or forever afterwards not find fault on account of poor service and inequality of pay among the employees.

Mr. SCHAFER. Another short question to clear up the Record. The floor leader on the Democratic side indicated that they will have to wait until the Democratic Party comes into power before they can end the discrimination in salaries. I wish to state that this discrimination has existed for many years, including the time the Democratic Party was in power.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SANDLIN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the point of order made by the gentleman from Massachusetts.

Mr. UNDERHILL. Mr. Chairman, I insist upon my point of order.

The CHAIRMAN. The point of order is sustained.

Mr. MURPHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MURPHY: Page 15, line 1, insert:

"OFFICE OF SERGEANT AT ARMS

"Salaries: Sergeant at Arms, \$6,500; Deputy Sergeant at Arms, \$2,880; cashier, \$4,000; two bookkeepers, at \$3,000 each; Deputy Sergeant at Arms in charge of pairs, \$2,500; pair clerk and messenger, \$2,500; messenger, \$1,730; stenographer and typewriter, \$1,200; skilled laborer, \$1,140; hire for automobiles, \$600; in all, \$29,050."

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word, and is recognized for five minutes.

Mr. ABERNETHY. Mr. Chairman and members of the committee, I do this for the purpose of calling the attention of the House to what I consider to be unfair at this time to a very faithful employee of this House. He has had a stroke of paralysis and he has nobody here to say a good word in his behalf. I refer to the man who has been bringing in the mace for 10 years, Mr. Jordan. He is now in a very desperate situation. He does not belong to my party. He belongs to the opposite party; he is not a special friend of mine, but I hardly think it is fair, when a faithful employee of this House year in and year out for 10 years has been serving us faithfully, when he is old and has had a stroke of paralysis, to haggle about continuing his position. Therefore, I certainly hope that when we bring this matter up for consideration—and I am appealing now to the chairman of the Rules Committee, and also to my distinguished friend from Massachusetts [Mr. UNDERHILL]—we will remember the services of this man. I think the House ought to know about him. As you know, we have not seen him here during the session. You know there has been some talk about his going off, leaving the mace and leaving us in session all summer. I think we are doing a very grave injustice to a mighty good old man.

Mr. SANDLIN. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. SANDLIN. The gentleman says he is paralyzed?

Mr. ABERNETHY. He has been paralyzed, so I am informed by one of the gentlemen here.

Mr. BLANTON. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. BLANTON. He was one of the most loyal Republicans from the State of Kansas that the G. O. P. ever had among the employees of the House.

Mr. ABERNETHY. I do not care about his politics.

Mr. BLANTON. He rendered loyal and efficient service to this House day in and day out, and at night when we were in session, and he worked for the Republican Party faithfully on every single issue they ever had. I agree with the gentleman from North Carolina in everything he says about him.

Mr. UNDERHILL. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. UNDERHILL. May I say that the gentleman is confusing the recommendation and my remarks. I was not referring to Mr. Jordan, but I was referring to the job.

Mr. ABERNETHY. Well, I think the job has merit to it. I think it is one of the things which adds dignity to the House. Sometimes, you know, we get obstreperous in this Chamber, and it may become necessary to call the Assistant Sergeant at Arms into action, and, as I understand, when he takes that mace and puts it down in front of you, you had better behave yourself or you may leave the House. That is my understanding of the rules.

Mr. SCHAFER. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. SCHAFER. If we followed the arguments made in favor of abolishing the position to their ultimate conclusion, we could safely abolish many police forces which are maintained to enforce law and order.

Mr. ABERNETHY. The thing about it is this old man has nobody to speak for him. He always impressed me as being a fine citizen and a fine employee of this House, and I thought it well to bring this matter to the attention of the Members at this time so that when this question comes up we may reward faithful service, whether it be rendered by a Republican or a Democrat. We should remember the services of any man who serves us as faithfully as old man Jordan, and when he becomes sick I do not feel we should just kick him out. That is the way I feel about it.

Mr. UNDERHILL. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. UNDERHILL. If by any chance Al Smith should sweep in a Democratic majority, would you keep him on?

Mr. ABERNETHY. We might. There is no telling what we would do, but I know we would not kick him out if he served us faithfully for 10 years.

Mr. EDWARDS. We kept the Chaplain in office here.

Mr. ABERNETHY. There is not so much politics in this body after all, to be perfectly candid with you. We exchange views; but I will admit there are some very good men on that side of the House. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. ABERNETHY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SCHAFER. Will the gentleman yield?

Mr. ABERNETHY. I yield to the gentleman from Wisconsin.

Mr. SCHAFER. Of course, there is not very much politics in the House because the Democratic Party has not taken up any issue. They practically follow the Republican Party on every issue that comes up. The only issue they have to go to the polls on is the tariff issue.

Mr. ABERNETHY. I will ask the gentleman, in return, who is the gentleman's leader—LA FOLLETTE or NICK LONGWORTH? [Laughter and applause.]

Mr. SCHAFER. I will say to the gentleman I do not follow any leader. I believe a Representative should represent his constituents and not follow the dictates of any leader, be he conservative, so called, or progressive.

Mr. ABERNETHY. Then why have any leaders or why talk about leaders?

Mr. BLANTON. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. BLANTON. The gentleman from Wisconsin is the distinguished leader of a party of one Member here. [Laughter.]

Mr. ABERNETHY. The gentleman is a pretty good fellow, just the same.

Mr. SCHAFER. The gentleman from Wisconsin would rather be the leader of a party of one Member and properly represent the views of the great majority of several hundred thousand constituents than to disregard their views in a legislative body and follow the crack of the whip of any political leader.

Mr. ABERNETHY. I did not get up here to bring any issue against the gentleman from Wisconsin. I only got up here to speak for a man who is sick. The gentleman is not sick, is he? [Laughter.]

Mr. EDWARDS. As I understand it, the gentleman from North Carolina was talking about the unfortunate, paralyzed condition of this particular individual and was not talking of the unfortunate, paralyzed condition of the Republican Party.

Mr. SCHAFER. The gentleman from Wisconsin agrees with the statement of the gentleman from North Carolina that we should not abolish this position. The gentleman from Wisconsin rose, in the first instance, to call attention to the fact that this man also acts as a sort of policeman in this House. Certain gentlemen argued that this man did not have to perform actual service every day in the year, using that as an argument to abolish the position, and I stated that on that same argument we should abolish the police force everywhere.

Mr. ABERNETHY. Then why should the gentleman jump on the Democrats just because I was trying to help out the gentleman's views? [Laughter.]

Mr. SCHAFER. I was not jumping on the Democrats; but the gentleman said that politics were not played in this House, and I agreed with the gentleman and told the reason.

Mr. ABERNETHY. I want to make this statement frankly, openly, and above board, and I know it to be the fact. In many matters there are no politics and there should not be any politics. [Applause.] There are good men on both sides of the House. Of course, we have different views on different issues, but when it comes to doing what is right and what is just, in most cases you will find that the membership of this House will measure up, and I want to say in passing I was talking to a very distinguished Member of the House the other day about this question. We have 435 Members of the House and I do not know of one Member of the House who is not an honest man, I do not care what side of the House he is on—not one. I think there is too much abuse of the Members of the House. I do not know of a better body in any country or in any place than the body of men in this House, and when you measure up the men of this House you find they are honest. I do not know of a dishonest man in this House. He could not stay here if he was dishonest. [Applause.]

Mr. SANDLIN. From what the gentleman has said, I take it the gentleman would be willing to come back next fall?

Mr. ABERNETHY. I am trying to come back. [Laughter.]

Mr. BLANTON. Will the gentleman yield?

Mr. ABERNETHY. Yes.

Mr. BLANTON. Does not the gentleman think we ought to have two aisles here instead of one, so we can take care of everybody?

Mr. ABERNETHY. No; I think this is well enough.

Mr. BUTLER. I would not have any aisles.

Mr. ABERNETHY. I think it is all right the way it is. I think parties are all right. I belong to a great party and the gentleman from Wisconsin belongs to a great party, as well as

the gentleman from Massachusetts and the gentleman from New York. I did not rise for the purpose of getting into any argument or any controversy. I only rose to say a good word for an old gentleman who does not seem to have anybody here to say a good word for him. I do not know the man except from passing him here in the House day after day.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The CHAIRMAN. Paragraph 1, page 17, line 17, was passed over without prejudice. Does the gentleman from Massachusetts wish to consider that now?

Mr. UNDERHILL. Yes, Mr. Chairman.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

POST OFFICE

Salaries: Postmaster, \$4,200; assistant postmaster, \$2,570; registry and money-order clerk, \$2,000; assistant registry and money-order clerk, \$1,800; five case distributors at \$1,700 each; record and file clerk, \$1,700; 27 messengers (including 1 to superintend transportation of mails), at \$1,520 each; for the employment of substitute messengers, and extra services of regular employees at the rate of not to exceed \$125 per month each, \$1,000; laborer, \$1,010; in all, \$63,820.

Mr. UNDERHILL. Mr. Chairman, I make the same point of order with reference to this paragraph that I made to the other. I will reserve it in order to give an opportunity to such of our Members as desire to pass encomiums on the splendid service we are getting and the efficiency of the postmaster, to which I agree.

Mr. BLANTON. Mr. Chairman, this ought to be disposed of at once, and I ask for the regular order.

The CHAIRMAN. The point of order is sustained.

Mr. MURPHY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 17, line 16, insert the following:

" POST OFFICE

"Salaries: Postmaster, \$4,200; assistant postmaster, \$2,570; registry and money-order clerk, \$1,830; 34 messengers (including 1 to superintend transportation of mails), at \$1,520 each; for the employment of substitute messengers, and extra services of regular employees at the rate of not to exceed \$125 per month each, \$1,000; laborer, \$1,010; in all, \$62,290."

Mr. MURPHY. Mr. Chairman, at this point I would like to ask the gentleman from Massachusetts, who made the point of order, to state to the House how many places in the post office his resolution touches, or changes in any way?

Mr. UNDERHILL. Mr. Chairman, as I recall the resolution it only affects two employees of the post office in reference to increase in salaries; but the resolution also provides, on the recommendation of one of the best post-office inspectors that we could get who spent over a week investigating, that two of the forwarding clerks be dispensed with. I have no objection whatever—I want to emphasize again—to the recommendations made by the Appropriations Committee. They are perfectly satisfactory to me, but until we can take the whole matter up I feel constrained to raise the point of order.

Mr. BLANTON. Will the gentleman yield? The gentleman from Ohio knows, because he has investigated the matter, if our efficient Postmaster Collier were not working for the House of Representatives but in the regular service he would receive \$600 more than we pay him. And yet my friend from Massachusetts sought to take two of his needed employees away from him. I have been here 12 years, and I have never seen Mr. Collier lobbying on the floor of the House or in the lobby—not once. If you want to find Mr. Collier go to the post office any time in business hours and you will find him there industriously working for the 435 Members of Congress. There is no politics about him, only a loyal, faithful employee of the Government.

Mr. SCHAFER. I heartily concur in the statement made by the gentleman from Texas.

Mr. BLANTON. Then I know I am not wrong. [Laughter.]

Mr. SCHAFER. Twenty years ago, when the mail handled by the post-office department of the House was very much less than at present, the salary of the House Postmaster was \$4,000. I sincerely hope that the gentleman from Massachusetts, who I know is conscientious and diligent in matters under the jurisdiction of his committee, will not press the point of order.

Mr. UNDERHILL. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER. Yes.

Mr. UNDERHILL. Neither the gentleman from Massachusetts nor the gentleman representing the Committee on Appropriations has increased the salary of the Postmaster.

Mr. SCHAFER. A proposal would not get very far if the gentleman raised the point of order. Perhaps some other Member of Congress is prepared to offer an amendment to increase the salary of the Postmaster of the House, who is so efficient and so conscientious. If his salary was based on postal receipts and volume of business, like the postmasters throughout the country, he would be receiving \$5,600 instead of his present salary of \$4,200.

Mr. SNELL. What State does the Postmaster come from?

Mr. SCHAFER. From the great State of Wisconsin.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WILLIAMSON. Mr. Chairman, I ask unanimous consent that the gentleman may have two additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WILLIAMSON. I say to the gentleman from Ohio [Mr. MURPHY] that I have gone over the report of this special committee of the Committee on Accounts with a great deal of care. I think the report is entitled to a great deal of commendation. There is a lot of merit to the reorganization that is proposed. That committee has eliminated some employees that certainly ought to be eliminated and it has increased some salaries that ought to be increased. If there are other salaries that Members think are not increased enough, the House can take care of that when the resolution comes up. I believe the gentleman from Massachusetts is right in insisting that we should consider his resolution and that the Committee on Appropriations ought not to attempt to legislate in this bill.

Mr. SANDLIN. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The CHAIRMAN. When the committee rose last night the reading had proceeded to line 16, page 22. The Clerk will read.

The Clerk read as follows:

CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings: For necessary expenditures for the Capitol Building under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, and appurtenances; personal and other services; cleaning and repairing works of art; purchase or exchange, maintenance, and driving of motor-propelled passenger-carrying office vehicles; and not exceeding \$200 for the purchase of technical and necessary reference books and city directory; \$83,535.80.

Mr. BUTLER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 23, after line 10, insert a new paragraph to read as follows:

"For the purchase from the owners, the heirs of its painter, Walter L. Dean, the oil painting known as Peace, as authorized by the act approved March 3, 1927, \$5,000, to be immediately available, and to be expended under the direction of the Joint Committee on the Library."

Mr. BUTLER. Mr. Chairman, a law has been passed by this House unanimously directing this committee to purchase this particular picture.

Mr. SCHAFER. This particular picture?

Mr. BUTLER. Yes. I am going to ask the chairman whether or not he will accept that amendment.

Mr. MURPHY. Mr. Chairman, this dear old chairman wants this picture. I think, with the permission of my collaborators on this committee, that he ought to have this picture, and I certainly will not offer any objection. [Applause.]

Mr. BUTLER. I thank the gentleman.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. I will be glad to yield to my friend from Colorado; but first I want to say to my friend from Ohio [Mr. MURPHY] that this is not for me. This picture has hung in the committee room as long as I have hung there. I found it there when I came. Really it is a little older than I am. It is one of the finest pictures of America. It has a good influence in the committee.

It has removed on more than one occasion ill feeling among Members and has operated as a favorable agency in defense of the Union. It is entitled "Peace."

This House unanimously directed the committee to make the purchase of this picture, a small sum of money, owing to two women. Their parents are now dead. It is a really famous painting which has been seen by thousands throughout the

country. It took a prize at the Chicago world's fair. It has been passed upon favorably by the Arts Commission. The chairman of the Committee on the Library [Mr. LUCE] will tell you that it has been passed upon favorably by his committee, which reported in favor of its purchase, and the House unanimously authorized its purchase. I know the influence it has had over the members of that committee. It is a picture of the old White Squadron, which defended our country many years ago.

Mr. SCHAFER. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. SCHAFER. I think we ought to buy this picture, and I am willing to vote to buy it.

Mr. BUTLER. I thank you.

Mr. TAYLOR of Colorado. When the gentleman from Pennsylvania gets through I would like to get a chance.

Mr. BUTLER. I am through, but I would like to add this, if I may have a moment more, that perhaps I ought not to make a personal appeal. This picture exercises an influence in the committee that I like to see. It is one of the most beautiful things to be found in the Capitol. It has been authorized; otherwise I would not have offered this amendment. Some Members of the House opposed the purchase of it when \$15,000 was asked. I was one of them. I thought perhaps it ought to be bought for less money. Now the painter is dead. Two women, his daughters, survive; and inasmuch as the authority has been given, I am going to ask my friend from Colorado to vote for the purchase of this picture. Let it be disposed of one way or the other. If I had the money, I would be glad to buy it myself and give it to the Government, but I have not the money.

Mr. TAYLOR of Colorado. Mr. Chairman, I want to call the attention of the House to the situation concerning this painting. There is only one justifiable reason on earth for the House adopting this amendment, and that is the wish of the distinguished gentleman from Pennsylvania, whom every Member of this body has honored and loved for 32 years, and I will not vote against his amendment for that reason. [Applause.]

Mr. BUTLER. I thank you.

Mr. TAYLOR of Colorado. When this \$5,000 item came up before this committee I asked the Architect of the Capitol, Mr. David Lynn, and also Mr. Charles E. Fairman, the art curator of the Capitol, a man who has just written and published a splendid work on the Art and Artists of the Capitol of the United States, which you all ought to read, to bring before the committee a complete list of all the pictures and paintings and so-called works of art and every conceivable kind that does not belong to the Government and that has been loaned to or has in some way injected or gotten into the Capitol or the House or Senate Office Buildings for the purpose of advertising the people who produce them. I wanted to learn as near as I could how many more pictures there are hanging around here whose owners are hoping Congress will some time pay a fabulous price for them. A great many artists, or self-imagined artists, have at various times tried to get their work into this building or into the House or Senate Office Buildings purely for publicity purposes.

A lot of things of that kind have been hanging around or stored in the basement and elsewhere for 30 or 40 years. Practically all of them have no present real value. They are mere junk. This picture, for example, has been, I understand, stored in the basement or hanging in some committee room for 30 or 40 years, and nobody has ever heretofore taken any action concerning it. Why under the sun should this Seventieth Congress, in 1928, wake up here now and invite people from all over to bring forward all kinds of claims against the Government and ask the Congress to pay for this junk? One of these pieces of alleged art is an enormous thing, about 10 by 14 feet, purporting to show what some man thought the North Pole looked like. I am advised it was stored in the basement for 20 or 30 years, and was then dug up and hung in our Appropriations Committee room. The owner died long ago, and I wonder if his heirs will wake up some day and want \$5,000 for that. I do not like this precedent. The United States Daily, published yesterday, stated that we have authorized the payment of \$35,000 for this picture. That statement goes out broadcast over the country. The fact that that paper makes it seven times worse than it is will not be corrected. All these claim agents in Washington and elsewhere will immediately prick up their ears and come before the committee presided over by the splendid gentleman from Massachusetts [Mr. LUCE] and clamor for legislation to authorize the purchase of these things. Everybody, or the heirs of everybody, who have got these things hanging around here will get busy. Are you going to invite all these people to come here and put in claims for \$15,000 for pictures that are not worth 15 cents?

It is the principle and the precedent that I do not like. I do not like to vote to take this Peace painting away from the committee room of our splendid and kind-hearted friend. I simply want to warn the House that possibly we are going to be besieged by claims of people or descendants of people who have been dead for a generation and who may come in here and ask to be paid for pictures that we never promised to buy, and ask it simply because those pictures have been hanging up here many years, and therefore we ought to pay for them. We would be embarrassed by our action to-day. I think all these things that the Government does not own ought to be taken out and not allowed to remain in the Capitol or in either its House or Senate Office Buildings. If the owners do not want them, or if we can not find the owners, I feel that they should be disposed of some way, so the owners can not come here some time and ask Congress to pay for them.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. BANKHEAD. Is that whole system under the control of the Architect of the Capitol or any committee as to the selection of pictures and art works?

Mr. TAYLOR of Colorado. No. I can not learn that there is any system. If the chairman or some member of a committee lets somebody bring in a picture or something and hangs it up in his room, there seems to be no one to prevent it, and years after they may want us to buy it.

Mr. BANKHEAD. In view of the facts brought out by the gentleman from Colorado concerning this indiscriminate system, does he not think some definite system should be adopted for the selection of pictures and sculptures to be placed in the Capitol?

Mr. TAYLOR of Colorado. Why, yes; of course. Nobody ought to have the right to let anybody bring in anything and leave it here indefinitely and then expect us to pay for it.

Mr. BANKHEAD. What surprises me is that there has not been some system formulated which would take care of a situation of this sort.

Mr. TAYLOR of Colorado. Certainly there should be some system, and that is the reason I am calling the attention of the House to this situation. This picture was left here long before some of these Members were born, and no one before has apparently ever thought of paying anything for it.

Mr. BUTLER. Will the gentleman yield?

Mr. TAYLOR of Colorado. Yes; certainly.

Mr. BUTLER. The Fine Arts Commission recommends the purchase of this picture, but even as good a friend as the gentleman is of mine I would not ask him to make such a sacrifice. If he thinks this is not right, then defeat the measure. But the picture has always hung there; it never was in the cellar; it has hung in that committee room where I have sat for 32 years. If it is ever to be paid for, it should be paid for now.

Mr. TAYLOR of Colorado. Why in the name of common sense was it not bought and paid for years ago?

Mr. BUTLER. I was one of those who asked to have it remain. Of course, I do not know anything at all about art, but I thought \$15,000 was too much.

Mr. TAYLOR of Colorado. I would like to have an expression, if it is not inconsistent, from the chairman of the Committee on the Library [Mr. LUCE] as to whether or not that committee is going to favor a general policy of allowing the heirs of the owners of these pictures of various kinds, and statuary or models, and so forth, which have been injected into these buildings in bygone years to approve claims of this kind?

Mr. LUCE. If the future can be judged by the past the gentleman entertains apprehensions that are hardly justified. It has been my fortune to be on the Committee on the Library for nine years, and in that time, although we have had numerous requests for the purchase of paintings, I do not recall that until this particular case we have ever recommended such a purchase to the House, and I do not foresee any likelihood that we shall change our policy in this regard. If there should be presented genuine works of art of value equal to that of the one here in question, which had endeared themselves to those who have lived among them, as this picture has appealed to the chairman of the Naval Affairs Committee, then the same motives would perhaps inspire us that inspired us in reporting the bill authorizing this purchase, but I can give the gentleman the assurance that none of the paintings to which he has referred are likely to be bought. The statute and rule together put within the control of the Joint Committee on the Library the admission and the purchase of all works of art for the Capitol.

Mr. TAYLOR of Colorado. I am glad to have that expression from the gentleman. That is what I wanted to learn. I want the House to be on its guard against a repetition of claims of this kind.

Mr. LUCE. I think he will agree with me that the record of the committee during many years justifies me in assuring him that no such pressure as he fears is in prospect and that if it should come there will be no such yielding to it as he apprehends.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent to proceed for two additional minutes. Is there objection?

There was no objection.

Mr. TAYLOR of Colorado. Has the gentleman's committee, under the law, any authority to determine what paintings, pictures, busts, or other material may be brought into and left in these three buildings; and if not, does he know of anybody else or any authority to shut them out or permit them to be left here?

Mr. LUCE. My recollection of the statute and the rule is that we do have such authority. There were brought in years and years ago various things for which, of course, the present committee is not responsible.

Mr. TAYLOR of Colorado. Are you permitting more to come in during these days?

Mr. LUCE. Occasionally; perhaps once or twice a year.

Mr. TAYLOR of Colorado. What is your present system? When they bring them in do you issue a written permit or have any record understanding as to the time and purposes and conditions under which they may be brought in and how long they may remain here, and whether or not the Government is going to be expected to pay for them? Have you any system about these pictures?

Mr. LUCE. We do have a system which seems to me to work satisfactorily. Nobody is given permission to put anything here permanently, except it be a gift formally accepted. There come in from time to time for temporary purposes such things as models of busts of the Vice Presidents for the corridor on this side of the Senate Chamber, or portraits customarily bought, as of Speakers. There were in the room of the Committee on the Library for some time a considerable number of portraits of former Justices of the Supreme Court, and I am thankful to say—

Mr. TAYLOR of Colorado (interposing). I do not care to have the gentleman go into all those details, but when any bust, any picture, model, or anything of that kind is deposited in these three Government buildings is some record made of the conditions upon which that deposit is made, and is there any check on them or attempt made to relieve the Government from any obligation to pay for them or to let them stay here any longer than the Government desires to have them? I want to have the House fully understand this condition of these matters and, if possible, prevent our being imposed upon in the future.

Mr. LUCE. We have no authority to make any agreement other than through the medium of a duly enacted bill.

The CHAIRMAN. The time of the gentleman from Colorado has again expired.

Mr. McCLINTIC. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Oklahoma moves to strike out the last word and is recognized for five minutes.

Mr. McCLINTIC. Mr. Chairman, I make this motion for the purpose of obtaining certain information relative to the pictures that are in the Naval Affairs Committee room. I would like to ask the chairman of the Library Committee, if I may have his attention, whether he has any information relative to the other two pictures that are in the Naval Affairs Committee room, one relating to the surrender of the German fleet and the other supposed to be a painting representing camouflage. I would like to ask the chairman of the Naval Affairs Committee whether he has any information about those pictures.

Mr. BUTLER. Yes; they were painted under general statutory authority given to the department. Those pictures belong to the Navy Department, and in order to make our walls look pretty we begged them to cover the walls up with these beautiful paintings, and my friend knows that the walls are not very beautiful. The pictures all belong to the Government, and the department can take them away at any time. During the exposition at Philadelphia they did remove the pictures, but brought them back afterwards. The picture I refer to, I know my friend will agree, is the most beautiful thing we have there. Its influence is good, is it not?

Mr. McCLINTIC. I agree with the chairman that that is a very nice picture, but I want to make this observation: If we

are to be called upon to pay for the three pictures that are now hanging in the rooms of the Committee on Naval Affairs, there is one picture there, entitled "Camouflage," that looks like somebody accidentally spilled a bucket of paint on the canvas.

Mr. LA GUARDIA. That is futuristic art.

Mr. McCLINTIC. If that is art, then I have no knowledge of painting, and I hope the authorities in charge, and especially the chairman of the Library Committee, will take a peep at that picture which has paint spread all over it and is supposed to represent something that is very beautiful and artistic, before ever authorizing the payment of a large sum of money for something that I am sure the gentleman would not have in his own home.

Mr. ROMJUE. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. ROMJUE. The gentleman spoke about a bucket of paint being spread over a "camouflage" picture. Is not that itself camouflage?

Mr. McCLINTIC. It looks like somebody just kicked it over. Mr. LA GUARDIA. The gentleman would not expect to find poetry in the CONGRESSIONAL RECORD—

Mr. McCLINTIC. I have seen it there.

Mr. LA GUARDIA. And you can not find art in a war picture. Art and war are inconsistent.

Mr. McCLINTIC. In any event, the policy of paying for these pictures ought to be thoroughly understood by the Members of the House, and we ought to have some one charged with this responsibility, so that the distinguished chairman of my committee would not have to come here and plead for an appropriation to take care of somebody's claim against the Government.

Mr. BUTLER. I want to assure my good friend that this is the last appeal I am going to make for any picture. I am not buying pictures, and I am not going to ask the Government to buy them. My friend and I agree upon many things, and I know the gentleman will agree with me that the influence of that picture is a good one.

Mr. McCLINTIC. I am not going to object to this. The Committee on Naval Affairs needs more peace pictures. We would be a whole lot better off if we could adhere to policies of that kind rather than having these war scares thrown into us all the time for the purpose of building up a gigantic navy.

Mr. BLACK of New York. Will the gentleman yield?

Mr. McCLINTIC. Yes.

Mr. BLACK of New York. I take it we are now up to Great Britain on the 5-5-3 ratio so far as navy art is concerned.

Mr. TAYLOR of Colorado. Let me ask the gentleman what business he thinks this picture of peace has over there anyway, when we are appropriating half a billion dollars for war vessels?

Mr. McCLINTIC. I am agreeing with the chairman of the Naval Affairs Committee about this matter, because it is the only thing in the Naval Committee that points toward peace.

Mr. LA GUARDIA. It is a picture of a battleship at that.

Mr. McCLINTIC. Yes; but it is painted white and represents peace.

Mr. BUTLER. The gentleman from New York [Mr. LA GUARDIA] has looked at the picture and has admired it. The gentleman has told me so.

Mr. LA GUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment. I want to say to the gentleman from Pennsylvania that when the act authorizing the purchase of this particular picture was up I conferred with some of my friends in New York who are artists, and they told me that Mr. Dean, the artist, who is now dead—

Mr. BUTLER. He died about 12 years ago, my friends.

Mr. LA GUARDIA. Yes; and I was told that it was his original intention to donate this picture to the House or to the Congress. In fact, it was so announced at the time. Only after his death did a request come forward or a claim for payment for this picture; is that correct?

Mr. BUTLER. No. You understand, Mr. Dean has been dead about 12 years, and as long as 25 years ago the people who spoke for him asked \$15,000 to \$20,000. I may say to my friend that I was one of those who said I did not think the picture was worth that amount. I did not know anything about art, as I have already stated, but I did not think it was worth that amount of money. The time has now come when the Government should buy it, if it is ever going to do so.

Mr. LA GUARDIA. Five thousand dollars during the last years of Mr. Dean's life would have been very helpful to him.

Mr. BUTLER. I think it would have been. I think the money would have been helpful to him just as it will be helpful now to his daughters.

Mr. LA GUARDIA. That I do not know.

The pro forma amendment was withdrawn.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. ROMJUE) there were—ayes 44, noes 6.

So the amendment was agreed to.

The Clerk read as follows:

For the purchase and installation for the Senate Chamber and the Hall of the House of Representatives of complete, improved ventilation, dehumidifying air conditioning apparatus with automatically controlled ducts and water piping for the connection of the different units of such apparatus, and for all necessary structural alterations required for such installation, including personal services, traveling and other necessary expenses incident thereto, \$323,000, to be available immediately and to be expended by the Architect of the Capitol without compliance with sections 3709 and 3744 of the Revised Statutes of the United States.

Mr. MURPHY. Mr. Chairman, on page 23, line 17, after the word "services," I move to insert the word "advertising."

Mr. SUMMERS of Washington. Mr. Chairman, I want to make a point of order against the section. Must I make it now?

Mr. MURPHY. I will ask the gentleman what his point of order is?

Mr. SUMMERS of Washington. It is legislation on an appropriation bill.

The CHAIRMAN. The gentleman from Ohio has offered an amendment.

Mr. SUMMERS of Washington. I was on my feet seeking recognition from the Chair.

The CHAIRMAN. The gentleman knows that the chairman of the committee gets preference to another Member in offering an amendment. If the gentleman intended to make a point of order, he should have stated the purpose in asking recognition.

Mr. SUMMERS of Washington. I was trying to get the attention of the Chair before I could do anything. I made a point of order at the earliest possible moment. I was on my feet instantly demanding recognition.

The CHAIRMAN. Does the gentleman from Washington make a point of order or reserve it?

Mr. SUMMERS of Washington. I make the point of order, but I will reserve it if the chairman of the committee desires.

Mr. MURPHY. Will the gentleman waive his point of order to everything except the last two lines?

Mr. SUMMERS of Washington. No.

The CHAIRMAN. If the gentleman from Washington now makes his point of order, the Chair would like to know to what language in the paragraph the point of order is directed.

Mr. SUMMERS of Washington. To all the language from line 11 to line 21, inclusive, being legislation on an appropriation bill.

Mr. MURPHY. The committee will admit, Mr. Chairman, that there is some language in the paragraph that is subject to a point of order. Of course, if the gentleman from Washington insists on the technicality, we will have to admit that it is subject to a point of order.

Mr. LAGUARDIA. I want to propound this inquiry: Clearly lines 20 and 21 are subject to a point of order, because it seeks to amend existing law. If the point of order is sustained, an amendment containing the same provisions as in the paragraph, but omitting the objectionable part, would be in order, would it not?

The CHAIRMAN. The Chair will rule on that when it is offered.

Mr. SUMMERS of Washington. In order that Members present may know why I make the point of order I ask unanimous consent to speak for five minutes. It will not be on the point of order but on the merits of the paragraph.

The CHAIRMAN. The gentleman from Washington has made a point of order and stated the ground on which he made it.

Mr. SUMMERS of Washington. I have stated that I would reserve it.

The CHAIRMAN. Without objection, the gentleman from Washington will be permitted to reserve his point of order, and he asks unanimous consent to speak for five minutes.

Mr. MURPHY. If the gentleman from Washington is going to insist on his point of order, we will have it made now.

The CHAIRMAN. The gentleman from Ohio apparently insists on the regular order, and the regular order is whether the gentleman desires to make the point of order.

Mr. SUMMERS of Washington. If the gentleman prefers, I will make it instead of reserving it.

The CHAIRMAN. The point of order will have to be sustained.

Mr. MURPHY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

For the purchase and installation for the Senate Chamber and the Hall of the House of Representatives of complete, improved ventilation, dehumidifying air conditioning apparatus with automatically controlled ducts and water piping for the connection of the different units of such apparatus, and for all necessary structural alterations required for such installation, including personal services, traveling and other necessary expenses incident thereto, \$323,000, to be available immediately and to be expended by the Architect of the Capitol.

Mr. SUMMERS of Washington. Mr. Chairman, I want to offer an amendment to the amendment. I make a point of order against the amendment.

Mr. MURPHY. The gentleman is too late; he has already discussed it.

Mr. SUMMERS of Washington. No; I have not discussed it.

The CHAIRMAN. The gentleman rose and said he proposed to offer an amendment. The Chair then announced that the Clerk would report the amendment. Thereupon the gentleman apparently changed his mind and proceeded to make a point of order.

Mr. SUMMERS of Washington. If the Chair rules that I am too late in making the point of order, then, of course, I can take no exception to that.

Mr. LAGUARDIA. Mr. Chairman, in order to relieve the Chair of any embarrassment, I make the point of order that the point of order made by the gentleman from Washington comes too late.

The CHAIRMAN. The Chair sustains that point of order.

Mr. SUMMERS of Washington. Mr. Chairman, my amendment is to strike out \$323,000 and insert in lieu thereof \$23,000, and on that I want to be recognized.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. SUMMERS of Washington. Mr. Chairman, this is in regard to the ventilation of this Chamber and the Senate Chamber. If we want to ventilate, then why do we want to ventilate? First, let me say, probably no one here is qualified to say whether this should be done or should not be done. Therefore the Architect of the Capitol called on the United States Public Health Bureau to make a thorough investigation and report upon it, and I am going to read to you their summary and conclusions. They say:

(1) As a result of the study presented in the foregoing pages of the report we are led to the conclusion that the air of the Hall of the House of Representatives does not contain carbon monoxide, all our tests for this toxic gas having been negative.

(2) Our study discloses the fact that bacteria ranging in number from a few to more than 300 per cubic meter of air were present in the Hall. The organisms which we found were, however, the usual air forms, and the number is about the same as that encountered in most habitations. We feel that the presence of these organism has little or no bearing on the present problem of ventilation.

(3) Our study also discloses the fact that the dust content of the air is approximately 25 particles per cubic centimeter, a number usually found in homes and offices. To this finding we would therefore attach no significance as having any bearing on the problem at hand.

(4) The carbon dioxide content of the Hall at no time during our investigations exceeded 5.5 parts per 10,000, and an average of our determinations (95) showed 3.8 parts. This normal carbon-dioxide content indicates that sufficient air change is always taking place in the Chamber, a fact independently arrived at by measurements of change produced by the intake and exhaust fans.

They state earlier in their report that 10 parts per 10,000 is not excessive. They show that instead of 10 parts per 10,000 on the average it runs only 3.8 parts per 10,000.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. RAMSEYER. Does the report disclose when these tests were made?

Mr. SUMMERS of Washington. They were made during the forenoon and from 1 o'clock to 2.30 o'clock p. m., and in the latter part of the afternoon.

Mr. RAMSEYER. That is when the House was in session?

Mr. SUMMERS of Washington. That is correct.

Mr. RAMSEYER. When there was a good crowd here?

Mr. SUMMERS of Washington. They state that the crowd varied from an ordinary to a large attendance.

(5) Our study of the fans in use and of the requirements of the room leads us to the belief that the fans are of sufficient size and capable of supplying the required amount of air to the Hall.

(6) The most important finding of our study is that the Hall is subject to overheating. We have made 103 determinations of temperature. Considering 68°-72° as the most comfortable temperature for an assem-

bly hall, such as the one in question, we find the degree of overheating to be at times as much as 2°-3°.

(7) Our observations of relative humidity, of which we have made 103, indicate that on most occasions this is below 30 per cent. Only when the temperature was below 70° did observations show relative humidities over 30 per cent, without recourse to any special means of adding moisture to the air after warming it.

RECOMMENDATIONS

As a result of our study we urge that strict efforts be made, by regulation of the temperature of the incoming air, to keep the temperature of the Hall no higher than 72°, and that, if necessary, the velocity of air entering the Hall be so decreased as to render the drafts of incoming air unobjectionable. In addition to this, we feel that means should be provided for keeping the relative humidity of the air of the Hall over 30 per cent at all times.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ABERNETHY. Mr. Chairman, will the gentleman state the date of the report from which he has just read, and who signed it?

Mr. SUMMERS of Washington. This report is signed by the proper acting official of the United States Bureau of Public Health, Doctor Williams.

Mr. ABERNETHY. Mr. Chairman, I call the attention of the gentleman to page 129 of the hearings, where he will find that Surgeon General Cumming submits a report signed by C. E. A. Winslow, chairman, Frank Irving Cooper, A. M. Feldman, D. D. Kimball, F. R. Still, R. E. Hall, and A. C. Willard, recommending everything that is recommended by the architect.

Mr. SUMMERS of Washington. Yes; I can explain that. They called on these specialists all over the United States to give a general outline of how a new ventilating system could be installed. The Health Department did not make a recommendation that anything of this kind be done. They say a little less heat and a little more humidity. There are 390,400 cubic feet in this Chamber. There are 310 outlets, hidden away up yonder at the edge of the glass in the roof, besides 20 double doors around the walls of this floor and the gallery. There is 51,000 cubic feet of fresh air coming into the Chamber every minute. All of the air in this Chamber is changed seven and sevenths times every hour, according to their report, and the fans will change it oftener if thought advisable.

Mr. MURPHY. Mr. Chairman, will the gentleman yield?

Mr. SUMMERS of Washington. Yes; gladly.

Mr. MURPHY. Does the gentleman mean to tell the Members of the House that the present ventilating system of this Chamber is modern?

Mr. SUMMERS of Washington. I mean to tell the Members of this House that the Bureau of Public Health of the United States, after making a thorough examination by a hundred tests, reports just as I said, that it is heated 2° or 3° above what it should be, and that there should be more moisture added to the air. And so I am in favor of an appropriation of \$23,000 in order to install a tank, or two or three, of water through which this heated air may be forced, so as to bring up the moisture content and still maintain a lower temperature.

Mr. MURPHY. Where does the gentleman get the figures "\$23,000"?

Mr. SUMMERS of Washington. I think it is too much, but I want it to be ample.

Now, I want the chairman of the committee to permit me to say that of course, I have no personal interest in this matter any more than any other Member. I am a physician by profession. I spent 25 years in very active practice; I have had training in many hospitals in this country and in London, Vienna, and Berlin. I am not mentioning this except as it may have some bearing on what I am saying at this time. I do not believe that this expenditure of money as proposed in this bill is necessary. I want to lay the facts before the Committee of the Whole House so that it can determine this question.

Mr. MURPHY. Can the gentleman tell us how many years the present ventilating system here has been in existence?

Mr. SUMMERS of Washington. About as long as this Chamber.

Mr. MURPHY. About 30 years, I think. Nothing has been done in that time to modernize it.

Mr. SUMMERS of Washington. Does the Bureau of Public Health say it should be changed?

Mr. MURPHY. If the gentleman from Washington had read these hearings, I dare say he would not have read what he has been reading.

Mr. SUMMERS of Washington. This statement from which I have read is the complete statement from the United States Public Health Service.

Mr. MURPHY. We have had an entirely different story from Doctor Greenburg, who is the sanitary engineer for the Public Health Service. We have that report in our hearings.

Mr. SUMMERS of Washington. I could not find it complete there.

Mr. MURPHY. It is all there. Will the gentleman take a copy of the hearings and read what Doctor Greenburg says?

Mr. SUMMERS of Washington. I will read here from another place in this report about the carbon dioxide.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SUMMERS of Washington. Would the gentleman be generous enough to let me have three minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SUMMERS of Washington. I read several conclusions:

The carbon dioxide determinations indicate that at all times a sufficient supply of unused air is present. * * *

Our carbon dioxide measurements clearly confirm those of February 16, indicating a wholly sufficient amount of air change at all times. * * *

Our carbon dioxide analyses, however, indicate that sufficient air change is always taking place, as our average observation was at no time over 4.5 parts per 10,000. * * *

And, lastly, our carbon dioxide analyses indicated that at all times sufficient air change took place, in spite of the fact that we had only approximately 6.2 air changes per hour, as contrasted with 7.7 and 9.7 in the earlier studies.

Mr. FLETCHER. Mr. Chairman, will the gentleman yield there?

Mr. SUMMERS of Washington. Yes.

Mr. FLETCHER. The gentleman has just stated that over 200 Members of both Houses of Congress have died within 35 years. Does the gentleman think the ventilation has had much to do with their deaths?

Mr. SUMMERS of Washington. I do not. I took the trouble to consult the records of the Sergeant at Arms' office on that subject, and I find that in every Congress, from the Sixty-third Congress down to the present, with the exception of one, most of the deaths occurred during the spring, summer, and fall months. I have the figures here from December to March, and the number of deaths that occurred during that time, and the total number.

Mr. FLETCHER. Will the gentleman put those figures in the Record?

Mr. SUMMERS of Washington. Yes. I will explain that it was difficult to ascertain the number of deaths in a Congress because a Member may have been reelected to the following Congress and his death noted in both places.

The following table shows the approximate number of deaths of House Members during the period indicated:

| |
|--|
| Sixty-third Congress, 11 deaths; 5 during December, January, and February. |
| Sixty-fourth Congress, 11 deaths; 6 during December, January, and February. |
| Sixty-fifth Congress, 15 deaths; 5 during December, January, and February. |
| Sixty-sixth Congress, 11 deaths; 1 during December, January, and February. |
| Sixty-seventh Congress, 19 deaths; 8 during December, January, and February. |
| Sixty-eighth Congress, 19 deaths; 4 during December, January, and February. |
| Sixty-ninth Congress, 9 deaths; 4 during December, January, and February. |
| Of 95 deaths, 33 occurred during the months of January, February, and March. |

Mr. STEVENSON. Mr. Chairman, will the gentleman yield there?

Mr. SUMMERS of Washington. I am glad to yield.

Mr. STEVENSON. Has the gentleman any statistics to show that there is a higher death rate among men of the same age who are in Congress and men outside of Congress?

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. STEVENSON. Mr. Chairman, I ask that the gentleman may have two minutes more. I am interested in this.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The CHAIRMAN. The gentleman from Washington is recognized for two minutes more.

Mr. SUMMERS of Washington. I will say to the gentleman that pneumonia is a very common and very fatal disease in men above middle life, especially beyond 60 years of age, so that it is not at all unusual or out of the ordinary that there should have been a considerable number of deaths from pneumonia. But, as I have stated, the vast majority of deaths in the past 14 years have been in the spring, summer, and fall months, and not during the winter.

Mr. STEVENSON. Consequently when Congress was not in session.

Mr. SUMMERS of Washington. That is correct.

Mr. LAGUARDIA. There is no immortality that attaches to a certificate of election.

Mr. SUMMERS of Washington. The gentleman from South Carolina may have inferred that, but I do not know that he had that in mind.

Mr. MURPHY. Will the gentleman yield?

Mr. SUMMERS of Washington. I yield to my friend.

Mr. MURPHY. The gentleman will not contend for a moment that the present system of ventilating this room is modern?

Mr. SUMMERS of Washington. I contend we are supplied with an abundance of good, pure air, which is slightly overheated and which needs a little moisture added to it, and this statement is based on the repeated statements of the United States Bureau of Public Health, and we have no better authority.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. TAYLOR of Colorado. If, as the gentleman says, the air which we breathe here is warmer than it ought to be, and if, as he says, the air contains less humidity than it ought to contain—and he must say that, because there is no way of adding humidity to the air, because it comes in here dry and we breathe it dry—

Mr. SUMMERS of Washington. Moisture could easily be added before it comes in.

Mr. TAYLOR of Colorado. But there is nothing of that kind now.

Mr. SUMMERS of Washington. No.

Mr. TAYLOR of Colorado. If that is true, that the air is too dry and too hot, is not the American Congress entitled to the comfort that is obtainable in modern theaters, modern auditoriums, and buildings that are being constructed at the present time?

Mr. SUMMERS of Washington. But I would not spend a third of a million dollars to turn the heat off in my home.

Mr. TAYLOR of Colorado. I would spend a million dollars to save the health of the American Congress.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. MURPHY. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman and gentlemen of the committee, those of you who have copies of the hearings I wish would turn to page 137, and I am going to ask you to bear with me just a little while I read some of the testimony that was given by Doctor Greenburg, who is the sanitary engineer of the Public Health Service. Doctor Greenburg appeared before our committee and Mr. SANDLIN, one of the members of our committee, said:

This problem is mostly one of temperature?

Doctor GREENBURG. It is one of temperature and has humidity and air motion associated with it.

Mr. WELSH. It is a problem of evaporation, is it not?

Doctor GREENBURG. It is mainly one of cooling of the body. This involves temperature, humidity, and air motion. These are the three important factors in designing a ventilation system, and in designing such a system these three factors must be taken into consideration. In the old system there is no provision for satisfactory air distribution and air motion and for proper temperature and humidity control.

The gentleman from Washington is anxious to save a few dollars for the United States, and yet he has frankly admitted that the ventilating system in this room is not modern. You can go into any moving-picture theater in the city of Washington and feel safe, because they have adopted modern methods of ventilation. They prepare the air for their patrons, but here in the Nation's Capitol, where 435 men, who are picked from among the 120,000,000 people, come to legislate, there is no modern system of ventilation, and I think the health of those 435 men should be looked after. The committee feels they

should be furnished with a suitable place wherein to attend to the business of the public. Thirty years have passed since anything has been done to make comfort possible in this Chamber, and the gentleman from Washington thinks that \$23,000 is a sufficient amount to cool the air, to wash the air, and to do all the things that are needed in modernizing the ventilating system of this House.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. SUMMERS of Washington. The gentleman, of course, knows that by shutting off one or two coils, which would probably take a couple of minutes, the temperature can be reduced, so that part is disposed of, and all that is necessary is to add moisture.

Mr. ABERNETHY. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. ABERNETHY. As I understand it, this \$323,000 applies to the Senate as well as to the House?

Mr. MURPHY. That is correct.

Mr. ABERNETHY. I want to supplement what the chairman of the subcommittee says, that the Members here are entitled to fresh air and pure air.

Mr. SUMMERS of Washington. They are getting seven changes of air every hour in this big room, and nearly eight.

Mr. MURPHY. The air which comes into this room comes in along the carpet and, unfortunately, Members of the House often forget and expectorate on the floor. When that dries it is picked up in the dust and we breathe it, and there are a few of us who believe we are entitled to have clean air, and I hope the wisdom of this House will suggest the appropriation of sufficient funds for the care of the health of the people sent here to represent this Nation in its legislative establishment.

The means we have for ventilating the Chamber are not controlled, they are not modern, and here is a doctor, a man who gathers in the shekels of the folks for keeping their health secure, advocating filthy air.

Mr. BLACK of New York. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. BLACK of New York. The gentleman does not think he is looking for a few patients? [Laughter.]

Mr. MURPHY. The gentleman is facetious.

Mr. ABERNETHY. He practices on us for nothing.

Mr. STEVENSON. Will the gentleman yield?

Mr. MURPHY. Yes; gladly.

Mr. STEVENSON. I understand the report from which the gentleman from Washington read to be official; that is, from the United States health authorities. The gentleman does not mean to intimate that that great institution is desirous of promoting ill health in order to practice on anybody?

Mr. MURPHY. The gentleman is quite correct. That is a report from the Public Health Department of this Government; but the report we are bringing to the attention of the committee is a later report and one based on a further study of the proposition.

Mr. STEVENSON. By the same board?

Mr. MURPHY. By the same bureau.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MURPHY. Now, may I proceed further with the reading of this testimony?

Mr. SUMMERS of Washington. Will the gentleman yield for a question just at that point?

Mr. MURPHY. Yes.

Mr. SUMMERS of Washington. Has there ever been a later investigation than the one I read from? The gentleman may not be able to answer that question, but I will say there has not been, because the United States Bureau of Public Health told me this was their last investigation.

Mr. MURPHY. I will say to the gentleman they had this report when they recommended this system we are presenting to the committee at this time.

Mr. TAYLOR of Colorado. Will the gentleman yield for a question?

Mr. MURPHY. Yes.

Mr. TAYLOR of Colorado. Is it not true that this matter takes up 75 pages of the hearings on this bill? The gentleman from Washington read only about one page. There are about 75 pages of the hearings devoted to this one matter. We have had an exhaustive investigation by the highest authorities in the United States. Some of these people came before our committee, and we have gone into the matter thoroughly, exhaustively, and have come to the unanimous conclusion the present

obsolete system ought to be changed. When they say the air is not filthy, I will say that it is not healthy. It comes out right here at our feet, and the hot air blows the dust and dirt from the dirty carpets right up in our faces, and that is not healthful. It is not and can not be sanitary. The air should come in 30 feet over our heads instead of between our feet. Besides being dirty, the air is too hot and too dry. This system is an abomination.

Mr. MURPHY. I will say to the gentlemen of the committee that the recommendation for making this change in ventilation comes out of the report from which the gentleman has just read, and if the gentleman had gone through these hearings and had read them carefully I am sure he would not be objecting as he is to-day, because the testimony of the experts before our committee was such that it was the wisdom of the committee this improvement should be made.

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. MURPHY. Yes.

Mr. MORTON D. HULL. How many of the experts whose testimony you have in the hearings are engaged in the ventilating business and would like to secure such a contract?

Mr. MURPHY. Not any. I will say to the gentleman from Illinois the committee is composed of men who have business judgment, and they are just as wide awake as the average citizen of this country. We have not been subject to any influence of any kind. As my friend the gentleman from Colorado has said, 75 pages of the hearings were devoted to this one subject, because it is an important one.

Mr. MORTON D. HULL. And you say that none of them—

Mr. MURPHY. Not one. I might read for the gentleman's information at this point—

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. MURPHY. If the gentleman will permit, I would like to continue reading from Doctor Greenburg's testimony:

You will note by reference to the complete report of the 1924 study, which will be presented in the record, that the Hall suffered from overheating because the regulatory means were not sufficient and carefully controlled, and that we recommended that the velocity of the incoming air be decreased because of the existence of drafts on the Members' feet. And lastly, that some means be provided for increasing the relative humidity or moisture content of the Hall. All of these criticisms are still valid and constitute our objections to the system at this time. In addition to the above, it must be pointed out that no means are at present in existence for cooling the Hall in the summer months of the year.

The system, which has just been approved by the ventilating committee, of which Doctor Winslow is chairman, and which is composed of the ablest men in the field at this time, makes ample and liberal provision for all of these recommendations of the 1924 report.

May I take the liberty of directing the attention of the gentlemen to the last paragraph of the 1924 report, for here our recommendations are presented completely free of technical details.

Mr. TAYLOR. In the new theaters throughout the country, are they installing plants of this kind in this way to bring the air down and regulate the temperature, the humidity, and the circulation?

Doctor GREENBURG. Yes; they are. In the new, big, and better theaters they have such systems. But the cost is high and the smaller theaters can not usually afford them. In the bigger and better playhouses they are putting in these systems all the time.

Mr. TAYLOR. Do they spend as much as \$323,000 to do it?

Doctor GREENBURG. I think the system at the Roxy Theater in New York must have cost practically that much. It cost probably in that neighborhood. The system in the Paramount Theater in New York probably cost about the same amount also. The Roxy Theater seats 6,000 people and the Paramount 3,540 people. Both of these theaters were ventilated by the company to whom the committee now desires to award your contract.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. MURPHY. Mr. Chairman, I ask for five additional minutes, inasmuch as this is an important matter.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FLETCHER. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. FLETCHER. May I ask the gentleman from Ohio if there are going to be competitive bids on this work?

Mr. MURPHY. Yes; they are going to have competitive bids. [Reading:]

Mr. HOLADAY. Doctor Greenburg, are the Members of the House suffering, is their health being injured, by the present system of ventilation?

Doctor GREENBURG. I can not say exactly how much their health is being injured, but I certainly feel that if the system of ventilation were improved the Members would feel better and would undoubtedly be in better physical condition and feel more active and more alert. When the atmosphere becomes overheated it detracts from a man's physical and mental abilities. In that way I think they are being injured to a certain extent.

Studies on the question of ventilation are now being made with a great deal of care, and so far it has been found, for example, in studies made on school children in New York that there is more respiratory disease amongst the children when the conditions are not right than when the conditions are maintained at about the right point. In study cited it was found that there was about 18 per cent more absences from colds and respiratory diseases where the poor conditions were maintained than when atmospheric conditions were maintained at about the proper level.

I am making some studies now of school children in New Haven, Conn., and the facts so far confirm those learned from the study made in New York.

Many studies have been made in reference to the efficiency of physical labor at different temperatures, and they have all indicated that when the temperature is not maintained at the right point the physical efficiency drops off. This means that when the body has to work hard to lose its excess heat it is laboring under an extra load, and if you keep on loading up the body in that way you decrease its physical efficiency.

Mr. MURPHY. Is it the judgment of the Public Health Service that the air conditions here are so bad that they really should be changed?

Doctor GREENBURG. I would like Doctor Thompson to answer that question. It was the opinion of all the men who studied the system that it should really be revamped and made so that it could maintain conditions which were more suitable for the Members.

Mr. MURPHY. May I at this point ask Doctor Thompson if the experts who went into this matter suggested that the conditions were bad and that a change should be made?

Doctor THOMPSON. I think Doctor Greenburg has explained it very well. These are intangible things that we have to deal with. You have such conditions resulting where a good system of ventilation is not available. It is also possible that we may be made more susceptible to breakdowns in health by having this extra strain put on the constitution. Most of us have reached the age where we should not be subjected to constant extra strains put upon us.

Of course, anybody can get along in any kind of ventilation, but we felt that you were entitled to a system which would be equal to what they have in theaters and places of that kind for maintaining the comfort and health of their people, and that if they can have such a system as that you gentlemen were entitled to at least that much.

Mr. MURPHY. Do you look upon the present ventilating system as being obsolete as compared with modern ventilating systems?

Doctor THOMPSON. Yes; I do.

Mr. MURPHY. When was the present system put in here? Perhaps Mr. LYNN can answer that question.

Mr. LYNN. It has been in for about 30 years. It has just been added to from time to time by putting in larger exhaust fans, and things of that kind. But the system has been in for a great many years.

Mr. TAYLOR. The thing that brought this matter up originally was the fact that Members of the House were complaining that when they sat in the Hall of the House for 3, 4, or 5 hours they would go away completely exhausted, and they seemed to think that possibly it might help them in that way.

As to whether or not we should go ahead and spend all this money at this time or wait until this system has been tried out further and they know more about it than they do now, is a question.

Mr. SANDLIN. I think most of the Members heretofore have had the feeling and the belief that there was a lot of foul air in the Hall.

Mr. TAYLOR. Yes; the Members of the House think it is insanitary, and I know people in the galleries always complain that they have that same feeling. Women complain that when they go and sit in the galleries, when the Hall of the House is filled by Members, that the air is bad.

Mr. SANDLIN. That is due to the heat and the humidity?

Doctor GREENBURG. That is probably due to the fact that down on the floor of the House the temperature conditions are approximately comfortable and then when the air is warmed it rises, and in the gallery the temperature is probably too high.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. MURPHY. Mr. Chairman, I shall have to ask the indulgence of the committee for five more minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio to proceed for five additional minutes?

There was no objection.

Mr. MURPHY. On page 157 of the hearings Doctor Greenburg, in reply to a question by the gentleman from Colorado [Mr. TAYLOR], said:

Doctor GREENBURG. I hesitated very much to say that I felt the present ventilating system was injurious to the health of the Members, because it is exceedingly difficult to prove such a thing. It is a problem which would require long study, and study of many different kinds, for example, statistical studies of the death rate of Members, as compared with that of the normal population.

It is a very difficult problem, if it could be satisfactorily done at all.

Mr. MURPHY. But it is a fact, however, that this ventilating system is not approved by present-day sanitation, along ventilating lines?

Doctor GREENBURG. Absolutely.

Mr. LYNN. This system simply puts so many cubic feet of air per minute in the Chamber and it exhausts so many cubic feet per minute. It supplies fresh air to the House Chamber; that is the extent of the system.

Mr. MURPHY. Throughout the country every great building that goes up, where great crowds assemble, is being equipped with the new ventilating system?

Doctor GREENBURG. Very many of them. I hesitated very much to say that the existing system was actually detrimental to health. On the other hand, we must not minimize the feeling of discomfort, because when you are uncomfortable it is definite evidence that conditions are wrong, that your body is being imposed upon. If this continues long enough, it seems very fair to assume that it will harm the body. There is no question about it.

Gentlemen of the House, you have listened carefully to the reading of this testimony from the hearings. The matter is up to you. Experts on ventilation scattered over the entire country were called into consultation by the Architect of the Capitol. Not one of these gentlemen has anything whatever to do with any ventilation company doing business in this country. Bids were asked tentatively of those qualified to do the work. I think five ventilating companies in this country submitted plans and bids on this work. It was the wisdom of this board of experts, serving without pay, simply giving their very best judgment to their Government, that a certain firm should be given the contract.

The Architect of the Capitol appeared before the committee with this proposition, giving the background for his judgment in recommending to the committee these people to do this work. The judgment of the committee was that, this being America and all things being equal, that everyone engaged in the ventilation business in this country should have an equal chance at the starting point and that these plans prepared by these experts should be resubmitted and that the best bid received by the Architect and on the approval of the board of five experts, none of whom have any financial interest in any ventilating company, should meet in consultation, and those bidding would be awarded the contract.

Mr. TAYLOR of Colorado. And we do not have to accept any bid at all—either the highest or the lowest.

Mr. MURPHY. No; we reserve the right to accept the highest bid if it is considered to be the best by those best qualified to judge, and we reserve the right to reject any or all bids. So we believe the committee has been exceedingly fair and just. We give every American business man engaged in the business an equal chance at the starting point, and if he has the ability to do and to achieve, his reward will be commensurate with his ability.

Mr. SUMMERS of Washington. I am unable to understand how it is you make all of these reservations when we pass this provision without any strings to it.

Mr. MURPHY. I might say that a year ago bids and estimates were asked for, and the amount was four hundred and some odd thousand dollars. Again I want to pay tribute to the wisdom and business sagacity of the chairman of the Appropriations Committee [Mr. MADDEN], who has saved the country in that item alone \$107,000.

Mr. SUMMERS of Washington. If we had brought that before the House a year or two ago, you would have made the same argument then that you do now. I was on the committee at the time, and I opposed it.

Mr. LAGUARDIA. Is not the gentleman from Ohio unintentionally overstating his case when he says that the House reserves the right to reject the highest bid? As the paragraph stands it will have to be awarded in compliance with the existing law.

Mr. MURPHY. The language in the bill went out on the point of order, but it is possible to have the language reinserted at the other end of the Capitol, because the Senate is interested in this matter, and the appropriation is carried for the House and the Senate Chambers.

I might say for the benefit of the House that the Senate has had hearings on the proposition to enlarge the Senate Chamber in addition to furnishing a new ventilation system. They believe over there that it is money well spent. I think some one told me that they had figures to show that in a financial way a tremendous saving would be made, but we are not going to talk about that. We are doubly interested in trying to modernize the Chambers of this Capitol. We want to put a new ventilating system in the Senate Chamber and in the Hall of the House equal to that which can be found in any moving-picture house in a town of 25,000 inhabitants.

Mr. MENGES. Mr. Chairman, I move to strike out the last word. I am perfectly willing to have this Chamber ventilated, so that we will have pure air and there will be no disease contracted by any Member in this House from impure air. I do not oppose a ventilating system, but I do think that we ought to be a little careful about submitting specifications to the various bidders and that we do not place too much dependence on experts. I happened to come in contact with some of the things that happen here, and I am not impugn the motives of anyone, but the group of experts who recommended this system—and I understand the committee adopted it—gave the contract or suggested that the contract should be given to the highest bidder. Now, my friends, I happen to have in my district—and I am going to be frank about it—a concern which is manufacturing ventilating systems. The York Ice Machine Manufacturing Co. put in a bid for the installation of this project of \$139,680, while the Carrier Engineering Corporation, to which the experts suggested the award should be given, asked \$326,000.

Mr. SUMMERS of Washington. Give us the figures in dollars and cents for comparison.

Mr. MENGES. It is 139 as against 326 plus. I can give the gentleman the figures exactly. For the complete system the highest bid, which the experts suggested should be accepted, was \$326,000 for the same thing the firm in my district asked \$139,680—\$279,000 plus.

Mr. SUMMERS of Washington. That is, as provided in the bill?

Mr. MENGES. No; that is not as provided in the bill. But that was the bid that was made and accepted, or recommended by the corps of experts to be accepted.

Mr. SUMMERS of Washington. And the other responsible bidder to whom the gentleman refers bid how much?

Mr. MENGES. One hundred and thirty-nine thousand six hundred and fifty dollars.

Mr. SUMMERS of Washington. Now, we can understand and compare \$139,000 with \$279,000. I do not question the high character of everyone connected with this investigation, but call attention to the great disparity of the estimates.

Mr. MENGES. Do not think that I am endeavoring to put in question the character of this committee, but I say to you that this concern that I refer to is a responsible concern. During the last year they put ventilating systems into the largest theaters in New York, Philadelphia, and Pittsburgh. I do not know that they have gone any further west. They put in 16 ventilating systems. Not only that, but they are a very responsible concern. They have built up a business of \$20,000,000 and they have built it up by being absolutely and strictly honest, living up to their agreements and contracts. I am here not to say to whom you shall give this contract but to suggest that I think we should be a little careful.

Mr. TAYLOR of Colorado. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. TAYLOR of Colorado. Did the gentleman read the report on page 129 giving the reasons why they recommended the Carrier Engineering Corporation, and showing why the other bids did not fill the bill?

Mr. MENGES. I did read that, but it does not explain anything to me.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. BLOOM. Does the gentleman know of one particular case where any theater in the United States ever spent \$200,000 for just a ventilating system?

Mr. MENGES. I do not know anything about the cost for the installation of a ventilating system.

Mr. BLOOM. Does not the gentleman know, if he knows anything about the ventilating—

Mr. MENGES. Oh, I am not a ventilating engineer.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SUMMERS of Washington. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLOOM. Does not the gentleman know or realize that there is no theater in the United States that ever spent \$100,000 for a ventilating system?

Mr. MENGES. I do not know anything about it.

Mr. BLOOM. Is not the gentleman recommending that we spend \$200,000 for ventilating the Chamber?

Mr. MENGES. I have not recommended any amount.

Mr. BLOOM. I thought I heard that.

Mr. MENGES. I did not recommend any amount. I said that I am in favor of ventilating this room and ventilating it in such a way that every Member of this House shall have all of the fresh air that he or she needs.

Mr. BLOOM. I will say this: I will guarantee that you will have all of the fresh air you want if you will let me ventilate this Chamber for \$100,000.

Mr. MENGES. I am not able to say whether the gentleman could do it or not.

Mr. BLOOM. I will take the contract right now to ventilate this Chamber properly for \$100,000.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. MENGES. Yes.

Mr. SUMMERS of Washington. Did the gentleman observe that in the reading of all of the pages of testimony by Mr. MURPHY the experts made two points, and two only? One was that the room was overheated, and they tell me that is why some Members are inclined to get drowsy during the latter part of the afternoon. That can be changed in five minutes at this end of the Capitol and at the other end of the Capitol by the two engineers. Anybody can shut off the heat. You do not need a third of a million dollars to do that. The other thing they recommend is more moisture. That is all they do recommend. Two very simple modifications of our present system, but the results will be apparent.

Mr. BLOOM. Mr. Chairman, will the gentleman yield for a question?

Mr. MENGES. Yes.

Mr. BLOOM. I just happened to come in at the tail end of this thing. If you want to ventilate this Chamber and ventilate it correctly so that you will not have this bad, foul air, you can do it easily for a hundred thousand dollars. You must have a proper exhaust, which you have not got here.

Mr. MENGES. I did not yield for a speech.

Mr. BLOOM. I do not want to make a speech. I thought that the gentleman recommended that we give a contract to some one he mentioned for a certain sum of money.

Mr. MENGES. No; I did not. I did not recommend anything of the sort.

Mr. UNDERWOOD. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. UNDERWOOD. Does not the gentleman think we ought to award this contract to the gentleman from New York [Mr. BLOOM]?

Mr. MENGES. Mr. Chairman, I am not advocating the adoption of any one of the amounts that have been specified by the people who have made bids on this proposition, neither am I suggesting the acceptance of Mr. BLOOM's offer. The people that I have the honor to represent have done practically all of the ventilating for the United States Navy Department in their ships for the last 10 years.

Mr. UNDERWOOD. Mr. Chairman, will the gentleman yield?

Mr. MENGES. Yes.

Mr. UNDERWOOD. Do I understand the gentleman to convey the impression that there will not be free and unrestricted competition in the awarding of this contract?

Mr. MENGES. I did not mean to convey that idea.

Mr. UNDERWOOD. If I understood the statement of the chairman correctly, there will be competitive bidding.

Mr. MENGES. That is exactly what I want.

Mr. UNDERWOOD. And that the contract will be awarded to the bidder that complies with the plans and specifications and submits the lowest responsible bid.

Mr. MENGES. I am not asking for any preference for the concern I am representing but that they shall have equal opportunity.

Mr. MURPHY. That is just what the committee has arranged for. We have an amendment here which we will submit when this is out of the way.

Mr. MENGES. I am glad you have that, Mr. Chairman, because I was going to offer one if you had not.

Mr. HOLADAY. Mr. Chairman, as a member of the subcommittee I joined in the report on this item. But there are a few facts I would like to bring to your attention. As I recall the evidence before the subcommittee, there was no evidence to show that the atmospheric conditions in this House were essentially injurious to the health of the Members. As to the gentleman referred to as Doctor Greenburg, I see that he is so referred to in the hearings, but it is my impression that he is not a doctor, but a sanitary engineer. Here is what he says. He was asked:

Mr. HOLADAY. Doctor Greenburg, are the Members of the House suffering, is their health being injured, by the present system of ventilation?

Doctor GREENBURG. I can not say exactly how much their health is being injured, but I certainly feel that if the system of ventilation were improved the Members would feel better and would undoubtedly be in better physical condition and feel more active and more alert. When the atmosphere becomes overheated it detracts from a man's physical and mental abilities. In that way I think they are being injured, to a certain extent.

Now, as I recall the evidence, that is about as strong a statement as there is in the record going to show that the present condition is injurious to the public health.

The committee was faced with this proposition: For a good many years there has been a demand from individual Members for an improvement in the ventilating system. The Public Health Service, when this proposition was put up to them, called in a committee of experts, and they made a report. Now, I want to call your attention especially to this: This is the testimony of Doctor Thompson. The question was not up to that commission as to whether we needed a ventilating system. The question that was put up to them was on the basis that the House desired a system, and they were asked their opinion as to what the best thing was. Doctor Thompson says:

When that committee considered a system they did not take into consideration the cost.

In other words, this committee is not going into a question of whether or not we needed a change. They assumed that the House had decided that they did need a change. But from the theoretical and scientific standpoint, regardless of the demand for or the cost of, they reported what they thought was the best system. I read:

We called together this committee of experts because we felt that their opinion would give you the best system possible at the present time, in accordance with health and sanitation.

When that committee considered a system they did not take into consideration the cost. They did not feel that that was their province. Their province was to outline to you what they felt was the most satisfactory type of system to give you the most healthful and sanitary conditions. They did not enter into the cost. Their opinion was expressed only about the new system and what would be desirable for the new system.

Mr. HOLADAY. Did they go into the question as to how badly an improvement in the ventilating system was needed? Did they consider that?

Doctor THOMPSON. They really had not had that put up to them. It was put up to them that Congress desired to have a new system installed and what you wanted was an opinion as to the best type of system to be installed. They did not have any suggestion as to that point; that rested with the Members of Congress.

Now, this commission made their report regardless of the cost. They reported what in their opinion would be the best system. That report involved not specific specifications, but general specifications. Then competitive bids were asked for, and some five different companies came in. There is a big spread between their bids, and it is very natural that there should be, because they were not bidding on exact specifications but on a general plan, and each bidder submitted his own plan, so that there is no way that I know of by which we can compare the bids. Perhaps the man who wanted \$100,000 more than the firm from Pennsylvania offered a better system. I presume that he did.

The CHAIRMAN. The time of the gentleman from Illinois has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last two words.

Mr. GIFFORD. Mr. Chairman and gentlemen of the committee, I do not wish to take five minutes. I have courage enough to say here what I have said so many times, when we

have been frequently forced to leave this Chamber practically from mental exhaustion and unable further to follow the debates. I do not need the medical profession to tell me when ventilation is needed. When our offices need fresh air we know when it is time to raise the window, and when necessary to have water around to change the humidity. This room is supposed to properly accommodate 435 Members of Congress, many employees, and perhaps 500 visitors from 12 o'clock noon to 6 o'clock each day, and with an up-to-date ventilating system. Nearly every other Member of the House must feel that the ventilation is not satisfactory, and we often complain that we can not remain in the Chamber and keep keenly alert under such conditions.

We can not have been wrong all of this time. We do not need a doctor to tell us about lack of ventilation, though we do need them to tell us about those diseases the cause and effects of which we do not know. I am sure the common sense of the situation appeals to us, and I am very glad to vote in favor, after six years of experience here. Let us have the courage to rise and state openly our criticisms of this situation. The ventilation here is certainly very bad indeed. We know it is of our own experience and we are not to be convinced by the differing viewpoints of experts, as cited in the debate, on a matter of which we have such intimate knowledge.

Mr. BLOOM. Will the gentleman yield?

Mr. GIFFORD. I will be very glad to yield to the gentleman, but I do not know anything about his \$100,000 estimate.

Mr. BLOOM. That is not the question I am going to ask the gentleman. The question I am going to ask the gentleman is whether he knows that any one of the plans suggested will relieve the situation?

Mr. GIFFORD. I have faith in those intrusted to carry out our instructions. I am not interested in anybody or firm who wants a contract. I am interested not only for our health, but that we may stay here and be active and alert in our duties. [Applause.]

Mr. MURPHY. Mr. Chairman, I want to say that I hope the members of the committee will vote against the amendment offered by the gentleman from Washington, because the health of the Members of this House is the most important thing to each and every one of us individually. This is your own affair. If you do not take care of yourselves you can not blame anyone else. The country will not condemn you for making things sanitary and modern here. When it comes to the judgment of those five men who have been selected for their high intelligence and for their high character no one can question it. When a gentleman gets up on this floor and says, "I will do this for \$100,000"—

Mr. SANDLIN (interposing). He will have an opportunity to bid.

Mr. MURPHY. Yes; he will have an opportunity to bid if he cares to do so. The gentleman will have an opportunity to enter into competitive bidding, and if he knows what he is talking about he may be able to do the work for \$100,000. But the gentleman knows something about the theatrical business. He knows they do spend lots of money in providing proper ventilating systems. In my little town they spent \$60,000 on a ventilating system in a little theater which seats only 800.

Mr. BLOOM. But did you not spend \$40,000 on a cooling system?

Mr. MURPHY. It does not make any difference what the money was spent on. Here we are only appropriating sufficient money to cover the probable cost of the system, and in the event the work can be done for much less we will be that much better off. Gentlemen, remember that if you appropriate this money for this ventilating system you will have the very last word in scientific ventilation. You are entitled to receive that, because everyone who spends from 20 to 25 cents for admission to a moving-picture house knows that when he enters such a moving-picture house he is entering a building which is ventilated along modern lines. Surely we are entitled to that. We are doing something here for ourselves. Gentlemen, let us do it; let us meet the issue face up, with eyes to the front and with our tails over the dashboard. [Applause.] The people in this country believe in such a proposition and, therefore, I hope you will defeat the amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. BLOOM. Mr. Chairman, I move to strike out the last five words.

The CHAIRMAN. The gentleman from New York moves to strike out the last five words, and is recognized for five minutes.

Mr. BLOOM. Mr. Chairman and gentlemen, I want to say at the outset that I am not going to oppose any plan by which you can better or change the ventilation of this Chamber. Ever

since I have been in the House I have heard about such a plan being put into operation. I have watched gentlemen sit in the galleries with all kinds of instruments, testing, smelling, perfuming, and doing everything to the air. What they were trying to do I do not know, but I will say that for 40 years I have been building public buildings and I know something about ventilating chambers.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. BLOOM. Yes.

Mr. SUMMERS of Washington. I was wondering how old the gentleman is. I thought he was a young man.

Mr. ABERNETHY. Will the gentleman yield to me?

Mr. BLOOM. Yes.

Mr. ABERNETHY. I will call the gentleman's attention to the fact that when he entered this body he was a healthy looking man, but I saw the gentleman faint on the floor of the House, and we had to carry him out.

Mr. BLOOM. I will say to my colleague that it was not the air which made me sick; it was the speeches I heard. The air was all right, but I was overcome by some of the speeches I heard at that time. I am now immune to them.

I will say this: That you can not compare this Chamber with a theater. A theater is practically sealed up. There are no doors or windows that can be opened in a theater.

Mr. TAYLOR of Colorado. There are not any here.

Mr. BLOOM. You have doors here and they are being opened and closed all the time.

No matter how hard you may try, it is impossible to create a vacuum, and the only thing you need in this Chamber, gentlemen, is to have a proper exhaust system. If you take out the foul air, good, pure air must come in. It is impossible to create the kind of vacuum that these engineers have been talking about.

Mr. BEEDY. Where is the pure air going to come from?

Mr. BLOOM. You will get it through the doors and the vents and all around here.

Mr. BEEDY. Does not the gentleman know that this Chamber is twice removed from the pure air on the outside?

Mr. BLOOM. No—

Mr. BEEDY. If the gentleman will take a trip around the Chamber and investigate he will find that is the fact.

Mr. BLOOM. I want to tell the gentleman this Chamber is not situated like a theater.

Mr. MURPHY. Does the gentleman know how the air comes into this room?

Mr. BLOOM. It comes in from all these openings and through the vents. Now, where do you take out the air?

Mr. MURPHY. May I tell the gentleman that the air that is in this room now comes in along the dirty, filthy carpet here, and is forced up into our faces?

Mr. BLOOM. The gentleman will remember I said it comes in from the doors and the vents.

My idea is that if you had a proper exhaust in this building you would have proper ventilation. You have to have a proper circulation of air, the same as they have in every theater. In the top of every theater or large building they have exhaust fans that take out the bad air.

If you want to have a proper plan of ventilation, that is all right, and we should figure on it, but you can not have men connected with ventilation systems come in here with their own system and then expect to have any kind of real or proper ventilating plant.

Mr. ABERNETHY. Will the gentleman yield?

Mr. BLOOM. Yes.

Mr. ABERNETHY. The gentleman concedes we need a different system here from the one we have now.

Mr. BLOOM. I will concede that if you will try what I have suggested—

Mr. ABERNETHY. The air is bad now, is it not?

Mr. BLOOM. Let me answer the question, please. I will say if you want to improve the air in this Chamber, if you will give me the opportunity of putting in a proper exhaust system, I will guarantee to purify the air and have it 75 per cent better than it is now.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MURPHY. Mr. Chairman, I think we have been very liberal in allowing debate on this question, and I ask unanimous consent that all debate on this amendment and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington to the amendment offered by the gentleman from Ohio.

Mr. MURPHY. Mr. Chairman, may we have the amendment again reported?

The amendment to the amendment was again reported.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. MURPHY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MURPHY: On page 23, line 21, insert a new paragraph, as follows:

"The foregoing appropriation may be expended without compliance with sections 3709 and 3744 of the Revised Statutes of the United States."

Mr. BLACK of Texas. Mr. Chairman, I reserve a point of order.

Will the gentleman explain the meaning of the amendment and just what sections are referred to?

Mr. MURPHY. This gives the experts having in charge the recommending of contracts the privilege of awarding the contract to the best bidder, not necessarily the one submitting the lowest bid as to dollars and cents, but permits them to let the contract to the best bidder even though he might be the very highest as to dollars and cents. The judgment of this board of five experts, who are not interested in any way, shape, or form in any contract with respect to this sort of work will be controlling, and under the amendment I have just offered the architect, on the advice of this board, can enter into a contract with any one of the bidders who submits the best bid.

Mr. BLACK of Texas. Mr. Chairman, I make the point of order. I do not think we ought to award contracts in this way.

The CHAIRMAN. The Chair believes the point of order is well taken. The point of order is sustained.

Mr. MURPHY. There is no question, Mr. Chairman, but what the amendment is subject to a point of order. I am very sorry the gentleman from Texas—

Mr. LAGUARDIA. Will the gentleman yield?

Mr. MURPHY. Yes.

Mr. LAGUARDIA. The point of order was raised before and the point of order was sustained and the paragraph went out. Then the gentleman offered an amendment without those lines. I am very sorry the gentleman again offered the amendment, because once a point of order is raised and sustained, I do not think the amendment should be again offered. It is out now anyway.

Mr. MURPHY. Yes; it is out now.

The Clerk read as follows:

Capitol Grounds: For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; personal and other services; care of trees; plantings; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes of the United States, \$72,000.

Mr. STRONG of Kansas. Mr. Chairman and Members of the House, while I was absent from the Chamber some criticism was offered in regard to the Assistant Sergeant at Arms of this House, Mr. A. C. Jordan, of Kansas. I wish now to give the membership of the House some facts.

Mr. Jordan does not come from my district or my part of the State, but for many years he was the sergeant at arms of the Kansas House of Representatives. He retained that position from year to year, session after session, because of his competency and ability to fill that position. Seven years ago when he was selected as Assistant Sergeant at Arms of this House, the members of the House of Representatives of Kansas made him a handsome present as a testimonial of their esteem and their respect.

He has served this House for many years. He has always been here every day this House has been in session when able to do so. He has always been efficient, able, and competent, and has served this House well. Last summer he met with an accident that was followed by temporary paralysis, that for months compelled him to use a cane. He has been trying to get back here all the session and worrying because he was unable to do so. A month ago he wrote me and said he had so improved that he expected to get here on the 24th day of March. He did not come, and a few days after I was advised that he was taken down with la grippe and was confined to his bed.

This man has had financial reverses; he has lost his health. He ought not to be criticized because of his great misfortune in the face of the splendid service he has given this House, and I want to thank Mr. ABERNETHY for coming to the defense of Mr. Jordan this afternoon, and also the membership of the House that they did not destroy his position this afternoon by voting for the amendment offered. I thank you all in behalf of Mr. Jordan. [Applause.]

The Clerk completed the reading of the bill.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to return to page 23, line 7, and after the word "services" insert the word "advertising."

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to page 23, line 7, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 7 of the amendment already adopted, on page 23, after the word "services," insert the word "advertising."

The amendment was agreed to.

Mr. MURPHY. Mr. Chairman, I ask unanimous consent to return to page 16 for the purpose of offering an amendment.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to page 16 for the purpose of offering an amendment. Is there objection?

Mr. SCHAFER. Reserving the right to object, what is the nature of the amendment?

Mr. MURPHY. The amendment is being offered to equalize the salary of an attendant in the press gallery. It has been the unanimous request of every member of the press gallery that this young man, who has and is rendering splendid service, should have an increase in salary. The matter was brought before the committee, but it was neglected and did not appear in the bill.

Mr. SCHAFER. It will not interfere with the reorganization bill there has been so much said about?

Mr. MURPHY. I do not think so.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, line 8, strike out the figures "\$1,200" and insert "\$1,700." In line 14 strike out the figures "\$209,641" and insert "\$210,141."

The amendment was agreed to.

Mr. MURPHY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and Mr. TILSON having taken the chair as Speaker pro tempore, Mr. CHINDELOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12875) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1929, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MURPHY. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The motion was agreed to.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. MURPHY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOWARD of Nebraska, at the request of Mr. NORTON of Nebraska, for an indefinite period, on account of sickness.

ADJOURNMENT

Mr. MURPHY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 42 minutes p. m.) the House, in pursuance of its previous order, adjourned until to-morrow, Sunday, April 15, 1928, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, April 16, 1928, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON AGRICULTURE

(10 a. m.)

For the prevention and removal of obstructions and burdens upon interstate commerce in cotton by regulating transactions on cotton-futures exchanges (H. R. 11917 and other bills relating to cotton).

COMMITTEE ON EXPENDITURES IN EXECUTIVE DEPARTMENTS

(10.30 a. m.)

To provide for the transfer to the Department of the Interior of the public-works functions of the Federal Government (H. R. 8127).

COMMITTEE ON THE DISTRICT OF COLUMBIA

SUBCOMMITTEE ON THE JUDICIARY

(10.30 a. m.—room 377)

To revise, amend, and reenact the provisions of the Code of Law for the District of Columbia relating to the acquisition of land in the said District for the use of the United States (H. R. 12416).

SUBCOMMITTEE ON INSURANCE AND BANKING

(10.30 a. m.—room 346)

To provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia (H. R. 12896).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

445. A letter from the Assistant Secretary of Labor, transmitting report that there is in this department an accumulation of miscellaneous material in the office of the Secretary, Immigration Service, United States Employment Service, Bureau of Labor Statistics, and Children's Bureau which will be of no further use in the transaction of official business; to the Committee on Disposition of Useless Executive Papers.

446. A communication from the President of the United States, transmitting supplemental estimate of appropriations under the legislative establishment, United States Senate, for the fiscal year 1928 in the sum of \$20,000 (H. Doc. No. 228); to the Committee on Appropriations and ordered to be printed.

447. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1929, for public buildings authorized under the provisions of the act approved May 25, 1926, \$1,200,000 (H. Doc. No. 229); to the Committee on Appropriations and ordered to be printed.

448. A message from the President of the United States, transmitting deficiency estimates of appropriations for the Post Office Department for the fiscal year 1927 and prior years, \$23,495.32, and a supplemental estimate for the fiscal year 1929, \$25,000; in all, \$48,495.32; also a draft of proposed legislation affecting the use of an existing appropriation (H. Doc. No. 230); to the Committee on Appropriations and ordered to be printed.

449. A communication from the President of the United States, transmitting supplemental estimates of appropriation for the Treasury Department for the fiscal year 1928, \$65,000, and for the fiscal year 1929, \$543,560; in all, \$608,560; also drafts of proposed legislation affecting the use of existing appropriations (H. Doc. No. 231); to the Committee on Appropriations and ordered to be printed.

450. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting an agreement under date of April 7, 1928, by and between the Washington Railway & Electric Co., the Capital Traction Co., and Mr. Harley P. Wilson, owner of 98 per cent of the stock of the Washington Rapid Transit Co. (H. Doc. No. 232); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 165. A resolution providing for the consideration of S. 3740, an act for the control of floods on the Mississippi River and its tributaries, and for other purposes; without amendment (Rept. No. 1270). Referred to the House Calendar.

Mr. HAUGEN: Committee on Agriculture. S. 3555. An act to establish a Federal farm board to aid in the orderly marketing and in the control and disposition of the surplus of agricultural commodities in interstate and foreign commerce; with amendment (Rept. No. 1273). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of South Dakota: Committee on World War Veterans' Legislation. H. R. 13039. A bill to amend the World War veterans' act, 1924; without amendment (Rept. No. 1274). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FURLOW: Committee on Military Affairs. H. R. 8751. A bill for the relief of Robert W. Miller; without amendment (Rept. No. 1271). Referred to the Committee of the Whole House.

Mr. CHAPMAN: Committee on Military Affairs. H. R. 6127. A bill for the relief of Basil N. Henry; without amendment (Rept. No. 1272). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEAVITT: A bill (H. R. 13031) to amend an act entitled "An act to establish in the War Department and in the Navy Department, respectively, a roll designated as 'the Army and Navy medal of honor roll,' and for other purposes," approved April 27, 1916; to the Committee on Military Affairs.

By Mr. CROSSER: A bill (H. R. 13032) to amend the act of February 8, 1895, entitled "An act to regulate navigation on the Great Lakes and their connecting and tributary waters"; to the Committee on the Merchant Marine and Fisheries.

By Mr. FREE: A bill (H. R. 13033) authorizing the Secretary of War to convey certain portions of the military reservation at Monterey, Calif., to the city of Monterey, Calif., for the extension of Alvarado Street; to the Committee on Military Affairs.

By Mr. HOWARD of Oklahoma: A bill (H. R. 13034) to authorize an appropriation for Indian reservation roads in the State of Oklahoma; to the Committee on Indian Affairs.

By Mr. PALMISANO: A bill (H. R. 13035) to amend section 641 of the act approved May 19, 1924, entitled "World War veterans' relief, providing for the payment of a certificate upon certain conditions"; to the Committee on World War Veterans' Legislation.

By Mr. WAINWRIGHT: A bill (H. R. 13036) to authorize the Board of Regents of the Smithsonian Institution to make recommendations regarding conspicuous service; to the Committee on the Library.

By Mr. CROSSER: A bill (H. R. 13037) to amend section 1, rule 2, rule 3, subdivision (e), and rule 9 of an act to regulate navigation on the Great Lakes and their connecting and tributary waters, enacted February 8, 1895 (chap. 64, 28 Stat. L., sec. 645); to the Committee on the Merchant Marine and Fisheries.

By Mr. LEAVITT (by request): A bill (H. R. 13038) to authorize the Secretary of War to transfer the control of certain land in Oregon to the Secretary of the Interior; to the Committee on Military Affairs.

By Mr. JOHNSON of South Dakota: A bill (H. R. 13039) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. HAUGEN: Resolution (H. Res. 166) for the consideration of H. J. Res. 237, a resolution to provide for eradication of pink bollworm and authorizing an appropriation therefor; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAIL: A bill (H. R. 13040) granting an increase of pension to Lucy V. Buckingham; to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 13041) for the relief of Fireman's Fund Insurance Co.; to the Committee on Claims.

By Mr. W. T. FITZGERALD: A bill (H. R. 13042) granting an increase of pension to Nancy E. Dietz; to the Committee on Invalid Pensions.

By Mr. FREE: A bill (H. R. 13043) for the relief of the Oceanic Steamship Co.; to the Committee on Claims.

By Mr. HOGG: A bill (H. R. 13044) granting an increase of pension to Mary A. Geiger; to the Committee on Pensions.

Also, a bill (H. R. 13045) granting an increase of pension to Sarah J. Knight; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 13046) granting a pension to Emma M. Paxton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13047) granting an increase of pension to Anna J. Rourke; to the Committee on Invalid Pensions.

By Mr. LYON: A bill (H. R. 13048) for the relief of James Aloysius Manley; to the Committee on Military Affairs.

By Mr. MICHAELSON: A bill (H. R. 13049) granting a pension to Martin A. McGuire; to the Committee on Pensions.

By Mr. MOORMAN: A bill (H. R. 13050) granting a pension to Milam Simpson Mathews; to the Committee on Pensions.

Also, a bill (H. R. 13051) granting an increase of pension to Albert Long; to the Committee on Pensions.

Also, a bill (H. R. 13052) to correct the military record of Malcolm Allen; to the Committee on Military Affairs.

Also, a bill (H. R. 13053) to correct the military record of Harvey O. Willis; to the Committee on Military Affairs.

By Mr. NEWTON: A bill (H. R. 13054) granting an increase of pension to Louise Ackley; to the Committee on Invalid Pensions.

By Mr. RANKIN: A bill (H. R. 13055) granting an increase of pension to Nancy E. Mullins; to the Committee on Pensions.

By Mr. RUTHERFORD: A bill (H. R. 13056) granting an increase of pension to Pearl Massay; to the Committee on Invalid Pensions.

By Mr. THURSTON: A bill (H. R. 13057) granting a pension to Mary E. Warren; to the Committee on Invalid Pensions.

Also, a bill (H. R. 13058) granting an increase of pension to Polly McIntosh; to the Committee on Invalid Pensions.

By Mr. VINSON of Kentucky: A bill (H. R. 13059) granting an increase of pension to Cordelia Childers; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 13060) to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever; to the Committee on Military Affairs.

By Mr. WARE: A bill (H. R. 13061) for the relief of Belle Clifton; to the Committee on Claims.

By Mr. ABERNETHY: A bill (H. R. 13062) granting a pension to Willie I. Outlaw; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

6806. By Mr. BACON: Petition of Rev. Edwin I. Winters and other residents of Sag Harbor, Long Island, N. Y., urging increase of pensions to Civil War veterans and dependents; to the Committee on Invalid Pensions.

6807. Also, petition of A. L. Haskell and other residents of Port Jefferson, Long Island, N. Y., urging passage of House bill 11410, to amend the national prohibition act; to the Committee on the Judiciary.

6808. Also, petition of Juliet Ratchford and other residents of Long Island, N. Y., urging increase in pensions to Civil War veterans and dependents; to the Committee on Invalid Pensions.

6809. By Mr. CHAPMAN: Petition of Kate Richardson, E. E. Underwood, M. D., Hays Brown, H. N. Franklin, James C. Brown, and 15 other citizens of Frankfort, Ky., advocating passage of a bill increasing the pensions of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6810. Also, petition of Priscilla Smyth, A. G. Stump, J. C. Shackelford, M. A. Gentry, Albert Little, and 20 other citizens of Lee County, Ky., advocating passage of a bill increasing the pensions of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6811. Also, petition of Kate Johnson, John Ecton, H. C. LeCompte, L. T. Rodgers, W. L. Reeves, and 17 other citizens of Frankfort, Ky., advocating passage of a bill increasing the pensions of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6812. Also, petition of Maude E. Gatrell, E. S. Graves, Dr. Charles F. Voigt, H. L. Martin, jr., James E. Lewis, and 30 other citizens of Midway, Ky., advocating passage of a bill increasing the pensions of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6813. Also, petition of Marian Woolfolk, Dr. U. G. Holloway, James Creth, George Gwyn, Noah Creth, and 19 other citizens of Versailles, Woodford County, Ky., advocating passage of a bill increasing the pensions of Civil War veterans and widows of Civil War veterans; to the Committee on Invalid Pensions.

6814. By Mr. CRAIL: Petition of Los Angeles Forum, of California, favoring Boulder Dam legislation; to the Committee on Irrigation and Reclamation.

6815. By Mr. DOUGLAS of Arizona: Petition signed by 36 residents of Maricopa County, Ariz., indorsing legislation for the benefit of Civil War veterans, their widows and children; to the Committee on Invalid Pensions.

6816. By Mr. EVANS of Montana: Petition of J. R. Oberg and other citizens of Twin Bridges, Mont., urging the passage of the Curtis-Reed bill; to the Committee on Education.

6817. By Mr. FREEMAN: Petition of Lois Butson Shandear and others, of Noank, Conn., favoring the passage of the Sproul bill (H. R. 11410) to amend the national prohibition act; to the Committee on the Judiciary.

6818. By Mr. IRWIN: Petition of Marie Farthing and others, of Wood River, Ill., praying for the enactment of legislation in behalf of Civil War veterans and widows of Civil War veterans at the present session of Congress; to the Committee on Invalid Pensions.

6819. Also, petition of Mary McCoy and others, of Richview, Ill., praying for the enactment of legislation in behalf of Civil War veterans and widows of Civil War veterans at the present session of Congress; to the Committee on Invalid Pensions.

6820. By Mr. KVALE: Petition of the Lutheran Minnesota Conference at its seventieth annual convention, Minneapolis, Minn., urging the abolition of war; to the Committee on Foreign Affairs.

6821. Also, petition of Association of Public and Business Affairs, St. Paul, Minn., protesting against the passage of Senate bill 1263; to the Committee on Interstate and Foreign Commerce.

6822. By Mr. LEAVITT: Petition of residents of Carter County, Mont., urging enactment of legislation increasing the pension of Civil War veterans and their widows; to the Committee on Invalid Pensions.

6823. By Mr. MARTIN of Massachusetts: Petition of M. M. Coffey and 29 other residents of Cambridge, Mass., in support of an adequate Navy and merchant marine; to the Committee on Naval Affairs.

6824. By Mrs. ROGERS: Petition of Martin H. Coughlin and others, of the vicinity of Boston, Mass., urging the building of a Navy and merchant marine "second to none"; to the Committee on Naval Affairs.

6825. By Mr. SEGER: Petition of Frieda B. Hager and other citizens of Paterson, N. J., and vicinity, against compulsory Sunday observance legislation for the District of Columbia; to the Committee on the District of Columbia.

6826. Also, petition of national rehabilitation committee of the American Legion, urging immediate passage of the veterans' hospital construction bill; to the Committee on World War Veterans' Legislation.

6827. By Mr. SHALLENBERGER: Petition of citizens of Bartley, Nebr., indorsing House bill 11474, creating old-age pensions; to the Committee on Pensions.

6828. By Mr. SINCLAIR: Petition of 48 residents of Makoti, N. Dak., for the passage of the Sproul bill (H. R. 11410); to the Committee on the Judiciary.

6829. By Mr. SUMMERS of Washington: Petition signed by H. A. Pope and 121 others, of Kittitas County, Wash., urging an increase in pensions to Civil War veterans and their widows; to the Committee on Invalid Pensions.

6830. By Mr. WINGO: Petition of certain citizens of Montgomery County, Ark., advocating increased pensions for survivors of the Civil War and their widows; to the Committee on Invalid Pensions.

6831. By Mr. WINTER: Resolutions from A. C. Andrews, president Rotary Club of Midwest, Midwest, Wyo.; B. B. Brooks, president Casper Chamber of Commerce, Casper, Wyo.; and Louis J. O'Marr, president Sheridan Commercial Club, Sheridan, Wyo., in re House bill 9956; to the Committee on Irrigation and Reclamation.

6832. By Mr. ZIHLMAN: Petition of J. H. Marmadue and other residents of the sixth congressional district of Maryland, in behalf of the Civil War pension bill carrying the rates proposed by the National Tribune; to the Committee on Invalid Pensions.